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**Romanian Ministry of Regional Development and Tourism**

**Joint Managing Authority**

## **GUIDELINES FOR GRANT APPLICANTS**

**Reference: 2<sup>nd</sup> Call for Proposals**

**Joint Operational Programme “BLACK SEA BASIN 2007-2013”**

**Deadline for submission of proposals: 30<sup>th</sup> of September 2011**



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## NOTICE

This is an open Call for Proposals, where all documents are submitted at one stage (full proposal). The evaluation of the full proposal will be carried out by the Selection Committee. Further to the evaluation of the full proposals, an eligibility check will be performed for those which are provisionally selected. This check will be undertaken on the basis of the supporting documents requested by the Joint Managing Authority and the signed "Declaration by the Applicant", "Declaration by the IPA Financial Lead Beneficiary" (if the case) and "Partnership Statements", sent together with the application.

This Call for Proposals is launched under suspension clause linked to the timely signature of all the annual Financing Agreements between the European Commission and Government of Republic of Turkey ensuring the availability of all IPA funds, launched to support the participation of Turkish entities to joint Actions (projects) under the Black Sea Basin Joint Operational Programme 2007-2013. The actual award and signature of IPA grant contracts following this Call for Proposals for joint Actions with Turkish participation is therefore conditioned by the conclusion of the remaining Financing Agreements before 31<sup>st</sup> of December 2012.



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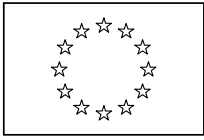


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## GLOSSARY OF ACRONYMS

CBC	Cross-Border Cooperation
CFCU	Central Finance and Contracts Unit
.doc	Microsoft Office Word Format
EC	European Commission
e.g.	for example
ENPI	European Neighbourhood and Partnership Instrument
EU	European Union
IPA	Instrument for Pre-Accession Assistance
JMA	Joint Managing Authority
JMC	Joint Monitoring Committee
JOP	Joint Operational Programme
.jpg	Image File Format
NGO	Non Governmental Organisation
NUTS	Nomenclature of Territorial Units for Statistics
OJ	Official Journal of the European Union
.pdf	Portable Document Format (Adobe Acrobat or PDF Creator software)
PRAG	Practical Guide to Contract procedures for EU external actions 2010 (including Corrigendum issued in March 2011)
SC	Selection Committee
TA	Technical Assistance
VAT	Value Added Tax
.xls	Microsoft Office Excel Format



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## 1. JOINT OPERATIONAL PROGRAMME BLACK SEA BASIN 2007-2013

### 1.1 BACKGROUND

The Joint Operational Programme “Black Sea Basin 2007-2013” (hereafter JOP Black Sea or Programme) is one of three maritime basin programmes established in the framework of the *European Neighbourhood and Partnership Instrument Cross-Border Cooperation: Strategy Paper 2007-2013* (ENPI CBC Strategy Paper) and one of the most complex, even if with a limited financial allocation.

The Programme eligible area involves eight countries, some of them including their whole national territory (Armenia, Georgia and R. Moldova), while some others including those regions closest to the Basin (Bulgaria, Greece, Romania, Turkey and Ukraine). The eight countries include three states (Greece, Armenia and R. Moldova) that are not physically on the coast of the Black Sea, but clearly integrated or connected to the Black Sea Basin in terms of historical, economic, cultural, social and environmental factors. The other five countries (Bulgaria, Romania, Turkey, Georgia and Ukraine) have direct access to the Black Sea.

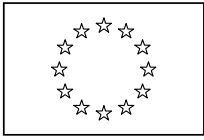
According to the ENPI CBC Strategy Paper, joint ownership of the process, based on the awareness of shared values and common interests, is essential. The EU does not seek to impose priorities or conditions on its partners. Therefore a partnership for programming has been promoted, involving all participating countries, and with the support of the European Commission (EC) through Technical Assistance (TA) projects, for both EU Member States and partner countries in the programme partnership. Equal participation of each participating country has been promoted during the programming process and in the institutional architecture for programme implementation.

The Joint Managing Authority (JMA) has been established in Romania within the Ministry for European Integration, subsequent Ministry of Development, Public Works and Housing, Ministry of Regional Development and Housing, now Ministry of Regional Development and Tourism.

### 1.2 LEGAL FRAMEWORK

#### European Union legislation

- Regulation (EC) No. **1638/2006** of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument (ENPI);
- Commission Regulation (EC) No. **951/2007** of 9 August 2007 laying down implementing rules for cross-border co-operation programmes financed under Regulation (EC) No.1638/2006 of the European Parliament and of the Council laying down general provisions establishing a European Neighbourhood and Partnership Instrument (ENPI);
- Council Regulation (EC) No. **1085/2006** of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA);
- Commission Regulation (EC) No. **718/2007** of 12 June 2007 implementing Council Regulation (EC) No.1085/2006 establishing an Instrument for Pre-accession Assistance (IPA);
- Council Regulation (EC, Euratom) No. **1605/2002** of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities;



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- Commission Regulation (EC, Euratom) No.2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No.1605/2002 on the Financial Regulation applicable to the general budget of the European communities;
- Commission Decision No.7406/2008 of 27<sup>th</sup> of November 2008 adopting the Joint Operational Programme “Black Sea 2007-2013”;
- Practical Guide to Contract procedures for EU external actions 2010 (PRAG)<sup>1</sup>.

In carrying out their activities related to award of works, supply and service contracts, all Beneficiaries and partners will have to follow the rules for selection and award of contracts referred to in Annex IV of the Standard Grant Contract.

Exceptionally, where a Beneficiary or a partner established in a Member State is a contracting authority and/or a contracting entity as defined by the EU Directives applicable to procurement procedures<sup>2</sup>, it must apply the relevant provisions of those texts, as transposed in its national legislation<sup>3</sup>.

### 1.3 OBJECTIVES OF THE PROGRAMME AND PRIORITY ISSUES

The **global objective** of the Programme, also covered by this Call for Proposals, is to achieve **stronger regional partnerships and cooperation**. By doing so, the Programme aims to contribute to its key wider objective: “a stronger and more sustainable economic and social development of the regions of the Black Sea Basin”.

The Programme’s specific **objectives**, also covered by this Call for Proposals, are:

1. Promoting economic and social development in the Black Sea Basin areas
2. Working together to address common challenges
3. Promoting local, people-to-people type actions

These three specific objectives will be pursued by means of **priorities**, which together form the programme’s approach to achieve these objectives:

1. Supporting cross border partnerships for economic development based on *combined* resources
2. Sharing resources and competencies for environmental protection and conservation
3. Supporting cultural and educational initiatives for the establishment of a common cultural environment in the Basin

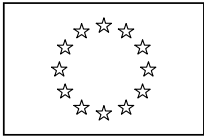
<sup>1</sup> [http://ec.europa.eu/europeaid/work/procedures/implementation/grants/index\\_en.htm](http://ec.europa.eu/europeaid/work/procedures/implementation/grants/index_en.htm).

<sup>2</sup> Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:134:0114:0240:EN:PDF>).

<sup>3</sup> For *Bulgaria*: Public Procurement Law, published, SG No. 28/06.04.2004 with further amendments; Rules for the implementation of the Public Procurement Law; Ordinance for the Award of Small Public Contracts; Council of Ministers Decree No. 55/2007 laying down the provisions for the award of service, supply and works contracts by EU Structural Funds and PHARE Programme grant beneficiaries.

For *Greece*: Law 3263/2004 Tendering of Public Works; Law 3316/2005 Public contracts for studies and services (infrastructure projects); Law 2286/1995 Public Procurement Law; Presidential Decree 118/2007 Public Procurement Regulation; Presidential Decree 60/2007 Adaptation of the Greek legislation to Directive 2004/18/EC (on public procurement for works, supplies and services); Presidential Decree 59/2007 Adaptation of the Greek legislation to Directive 2004/17/EC.

For *Romania*: Governmental Emergency Ordinance no. 34/2006 regarding the award of the public procurement contracts, public works concession contracts and services concession contracts, with further amendments.



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The three priorities will be implemented through a total of seven **measures** at operational level, as described below.

### **Objective 1 Promoting economic and social development in the border areas**

The key area of intervention for the promotion of economic development is the development of initiatives based on local resources, starting from those of rural development, tourism, traditional manufacturing, with a strong focus on the promotion of SMEs and the promotion of administrative capacity at local level.

#### **Priority 1 - Supporting cross border partnerships for economic and social development based on combined resources**

Objective 1 will be achieved through Priority 1, which concentrates action in those fields with the richest potential: promotion of SME development through the support to initiatives aiming at the creation of a stimulating business environment, rural development and tourism. The focus of the activities supported by this priority will be on the promotion of accessibility, innovation, entrepreneurial capacity and administrative capacity. The transnational partnerships will promote the transfer of good practice and the spread of innovations among similar entrepreneurial initiatives.

##### ***Measure 1.1: Strengthening accessibility and connectivity for new intra regional information, communication, transport and trade links***

The measure aims at supporting local development through improving links and connections in various dimensions between the regions of the programme area. This includes trade links supporting the accessibility to other markets of local traditional products.

The indicative list of activities is presented in Section 2.1.4.

##### ***Measure 1.2: Creation of tourism networks in order to promote joint tourism development initiatives and traditional products***

This measure aims at promoting the development of common activities in the tourism sector, based on an integrated conservation and exploitation of Black Sea resources, in all partner regions. It targets the establishment of partnerships for exchange of experience and good practices in improving the standards of services in the area and for the development of common tourism products specific for the area.

The indicative list of activities is presented in Section 2.1.4.

##### ***Measure 1.3 Creation of administrative capacity for the design and implementation of local and regional development policies***

This measure aims to increase the institutional capacity to promote economic and social development through the establishment of international partnerships for the exchange of best practices and know how in this area. The creation of a favourable environment for business at local level is a critical factor for development. The integration and networking of local administration or agencies in the area will promote capacity building and the exchange of methodologies and approaches to common problems.

The indicative list of activities is presented in Section 2.1.4.

### **Objective 2: Working together to address common challenges**

The challenges related to environmental protection and promotion appear to be the most relevant for the partner regions in the Black Sea Basin. International partnerships and networks, promoting integration of instruments, methodologies and activities in this field will particularly address the real cross-border nature of these environmental challenges.



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## **Priority 2: Sharing resources and competencies for environmental protection and conservation**

Objective 2 will be addressed by Priority 2. The central focus of this priority will be the environmental protection and conservation. The challenges related to the environment should be addressed by paying close attention to the technical and political instruments available to the programme and partners. The main areas of intervention are the protection of the maritime environment, the natural areas on the coasts and also the inland areas, and waste treatment technologies and management. This priority will promote innovation and exchange of good practices in the fields of scientific, technical and administrative competencies and capacities for environmental protection and conservation.

In order to guarantee coherence with the DABLAS, projects aimed at supporting co-operation for the protection of water and water-related ecosystems in the Danube and Black Sea Region should indicate how synergy with DABLAS initiatives would be attained. The same goes for coherence with the BSEC (for environmental protection-related projects), as well as for coherence with the Convention on the Protection of the Black Sea against Pollution (for pollution-related projects).

Under all three measures of this priority, networking activities play an important role for the exchange and implementation of appropriate solutions to environmental common challenges. The selection process of projects will take into account that programme support to networking should be used for long lasting and visible assistance projects. Networking needs to be firmly in the framework of existing environmental initiatives or the Black Sea Convention. In any case, the aim is not to create new institutions, but rather to strengthen and expand cooperation between existing institutions.

### ***Measure 2.1 Strengthening the joint knowledge and information base needed to address common challenges in the environmental protection of river and maritime systems***

This measure aims at the promotion of stronger integration and development of research, innovation, awareness and scientific partnerships in the fields of monitoring, control and protection of maritime systems and rivers in the Black Sea Basin.

The indicative list of activities is presented in Section 2.1.4.

### ***Measure 2.2 Promoting research and innovation in the field of conservation and environmental protection of protected natural areas***

This measure focuses on the sustainable development of natural protected areas in the partner regions. The aim of the measure will be achieved through various activities in the fields of management, research and economic initiatives.

The indicative list of activities is presented in Section 2.1.4.

### ***Measure 2.3 Promotion of cooperation initiatives aimed at innovation in technologies and management of Waste and Wastewater Management systems***

This measure addresses one of the main challenges for all Black Sea partner regions: the management of waste, including both wastewater and solid waste. Current waste management has a high impact on public health, the quality of drinking water and the Black Sea environment.

The indicative list of activities is presented in Section 2.1.4.

## **Objective 3 Promoting local, people-to-people type actions**

The promotion of people-to-people initiatives in the Black Sea Basin is especially challenging because of the large number of countries the extremely large geographical area and the



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historical and geopolitical background of the region. The activities that will be pursued under this objective can also generate strong synergies with the activities promoted under the priorities of Objective 1 and 2, which are all connected to human resources development, governance capability and stronger integration of communities in the Basin.

### **Priority 3: Supporting cultural and educational initiatives for the establishment of a common cultural environment in the Basin**

Objective 3 will be pursued by Priority 3. The main focus of the priority will be to promote the integration and networking in terms of the rich cultural heritage and current cultural life in the partner countries. The main areas of activity that could contribute to the objective are those involving young generation, cultural and educational institutions. Both areas are the most promising in the long term, not the least in terms of the impact on local development based on mobilization of local resources. The educational institutions and cultural associations will be the main instrument for this strategy. Networking among cultural institutions will be promoted especially through the exchange of experiences and the sharing of cultural heritage and traditions. This is aimed at the establishment of a common cultural environment for the Black Sea Basin community, which in turn will contribute to the reduction of the negative impact of borders on reciprocal understanding and friendship.

#### ***Measure 3.1 Promoting cultural networking and educational exchange in the Black Sea Basin communities***

This measure aims to create stronger social and cultural relations among communities around the Black Sea Basin, in order to promote good relations between the communities and stronger and better-integrated educational institutions in the Black Sea Basin, in order to support social and economic development. It focuses on the promotion of mutual understanding between neighbours and respect for cultural diversity. The activities foreseen are various, involving cultural institutions and NGOs active in cultural and social promotion or inter-ethnic relations. The improvement of the connection of educational institutions in the Black Sea Basin will contribute to the reduction of gaps among regions in terms of education.

The indicative list of activities is presented in Section 2.1.4.

## **1.4 FINANCIAL ALLOCATION PROVIDED BY THE JOINT MONITORING COMMITTEE**

The overall indicative amount of ENPI funds<sup>4</sup> made available under this Call for Proposals is **EUR 15,169,098.86**. The Joint Monitoring Committee reserves the right not to award all available funds.

Indicative allocation of ENPI funds by priority distribution:

<b>ENPI</b>	<b>EU Funding</b>	<b>National co-financing<sup>5</sup></b>	<b>National co-financing rate</b>	<b>Total funding (EU + national)</b>
<b>Priority 1</b>	4,634,209.35	463,421.00	10%	5,097,630.35
<b>Priority 2</b>	5,797,372.27	579,737.00	10%	6,377,109.27
<b>Priority 3</b>	4,737,517.24	473,752.00	10%	5,211,269.24
<b>TOTAL</b>	<b>15,169,098.86</b>	<b>1,516,910.00</b>	<b>10%</b>	<b>16,686,008.86</b>

<sup>4</sup> ENPI funds are available for all participant countries in the Programme, except Turkey (which is financed by IPA funds, as candidate country).

<sup>5</sup> Calculated as 10% of EC funding, according with ENPI rules.



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For joint Actions (projects) involving also Turkish partners, the indicative amount of IPA funds<sup>6</sup> made available under this Call for Proposals is **EUR 5,300,241.30**. The Joint Monitoring Committee reserves the right not to award all available funds.

**Indicative allocation of IPA funds by priority distribution:**

IPA	EU Funding	National co-financing <sup>7</sup>	National co-financing rate	Total funding (EU + national)
Priority 1	1,734,597.54	192,733.00	10%	1,927,330.54
Priority 2	2,065,228.80	229,470.00	10%	2,294,698.80
Priority 3	1,500,414.95	166,713.00	10%	1,667,127.95
<b>TOTAL</b>	<b>5,300,241.30</b>	<b>588,916.00</b>	<b>10%</b>	<b>5,889,157.30</b>

Adjustments to the joint operational programme financial table which merely involve the transfer from one priority to another of no more than 20 % of the EU funds initially allocated to each priority may be made directly by the Joint Managing Authority, **with the prior approval of the Joint Monitoring Committee**<sup>8</sup>.

**Co-financing**

No **grant** may exceed **90%** of the total eligible costs of the joint Action. See also Section 2.1.5.

The rate of **co-financing** is **10%** of the total eligible costs of the joint Action and it is requested for each approved proposal.

Each participating country shall decide on its own co-financing system (from national/regional/local level or directly from the Beneficiary, or both from the national/regional/local level and from the Beneficiary itself). No resources, which have been assisted by other EU contribution, may be taken into account as co-financing<sup>9</sup>.

Furthermore, proposals financed by other EU sources cannot be submitted. Contribution in kind is not eligible<sup>10</sup>.

**Size of ENPI grants**

Any ENPI grant awarded under this Call for Proposals for the implementation of a joint Action must fall between the following minimum and maximum amounts:

	<u>Minimum amount</u>	<u>Maximum amount</u>
<b>Priorities 1 &amp; 2</b>	<b>EUR 100,000</b>	<b>EUR 700,000</b>
<b>Priority 3</b>	<b>EUR 50,000</b>	<b>EUR 300,000</b>
Joint Actions implemented mainly or entirely in a single participating-country but having a cross-border impact	<b>EUR 50,000</b>	<b>EUR 250,000</b>

- Maximum percentage: 90% of the total eligible costs of the joint Action (see also section 2.1.5).

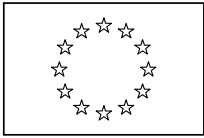
<sup>6</sup> IPA funds are available only for Turkey, as candidate country.

<sup>7</sup> Calculated as 10% of Total funding (EC + national), according with IPA rules.

<sup>8</sup> Regulation (EC) No 951/2007, art. 7.1.

<sup>9</sup> Regulation (EC) No 951/2007, art.19(1).

<sup>10</sup> Please see Section 2.1.5.



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The balance must be financed from the Applicant's and ENPI partners' co-financing.

### Size of IPA grants

Any IPA grant awarded under this Call for Proposals for the implementation of a joint Action must fall between the following minimum and maximum amounts:

	<u>Minimum amount</u>	<u>Maximum amount</u>
<b>Priorities 1 &amp; 2</b>	EUR 50,000	EUR 700,000
<b>Priority 3</b>	EUR 50,000	EUR 300,000
Joint Actions implemented mainly or entirely in a single participating-country but having a cross-border impact	EUR 50,000	EUR 250,000

- Maximum percentage: 90% of the total eligible costs of the joint Action (see also section 2.1.5).

The balance must be financed from the IPA Financial Lead Beneficiary's and IPA partners' co-financing.

### Payments for joint Actions (ENPI/ IPA grants)

For joint Actions with an implementation period not exceeding 12 months and where the size of the ENPI or ENPI+IPA grant awarded is between Eur 50,000 and Eur 100,000, payments will take the form of pre-financing payment (80% of the grant) and forecast final payment (20% of the grant)<sup>11</sup>.

For joint Actions with an implementation period not exceeding 24 months and where the size of the ENPI or ENPI+IPA grant awarded is equal to or over Eur 100,000 up to Eur 1,400,000, payments will take the form of first instalment of pre-financing (30% of the grant), forecast second instalment pre-financing (50% of the grant) and forecast final payment (20% of the grant)<sup>12</sup>. Forecast second instalment of pre-financing will be made only if the Beneficiary/IPA Financial Lead Beneficiary proves that 70% of the first instalment of pre-financing is spent<sup>13</sup>.

<u>Grants per project (ENPI/ENPI plus IPA)</u>	<u>Duration of the joint Action</u>	<u>(First instalment of) Pre-financing</u>	<u>Forecast second instalment of pre-financing</u>	<u>Forecast final payment</u>
Eur 50,000 up to Eur 100,000	max 12 months	80 %	-	20 %
Equal to or over Eur 100,000 up to Eur 1,400,000	max 24 months	30 %	50 %	20 %

<sup>11</sup> Example: 10 months project requesting 90,000 Euro ENPI grant: ENPI 72,000 Euro + 18,000 Euro.

<sup>12</sup> Example 1: 11 months project requesting 200,000 Euro ENPI grant plus 80,000 Euro IPA grant: ENPI 60,000 Euro + 100,000 Euro + 40,000 Euro and IPA 24,000 Euro + 40,000 Euro + 16,000 Euro. Example 2: 24 months project requesting 600,000 Euro ENPI grant plus 500,000 Euro IPA grant: ENPI 180,000 Euro + 300,000 Euro + 120,000 Euro and IPA 150,000 Euro + 250,000 Euro + 100,000 Euro.

<sup>13</sup> As provided in Article 15(1) of the General Conditions of the Grant Contract (Annex F to these Guidelines).



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## 2. RULES FOR THIS CALL FOR PROPOSALS

These guidelines set out the rules for the submission, selection and implementation of joint Actions financed under this Call, in conformity with the provisions of the Practical Guide to contract procedures for EU external actions (PRAG), which is applicable to the present call (available on the Internet at this address: [http://ec.europa.eu/europeaid/work/procedures/implementation/index\\_en.htm](http://ec.europa.eu/europeaid/work/procedures/implementation/index_en.htm)).

### 2.1 ELIGIBILITY CRITERIA

There are five sets of eligibility criteria, relating to:

- Applicant(s) which may request a grant and their partners (2.1.1);
- partnerships (2.1.2)
- Actions for which a grant may be awarded (2.1.3);
- activities to be financed (2.1.4)
- types of costs which may be taken into account in setting the amount of the grant (2.1.5).

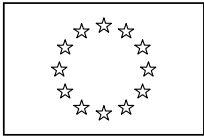
#### 2.1.1 Eligibility of Applicants which may request a grant and their partners

(1) In order to be eligible for a grant, Applicants and partners **must**:

- **represent one of the following legal entities<sup>14</sup>:**
  - a. national, regional or local public authority;** E.g.: ministry, regional/county council, local council, municipality;
  - b. body governed by public law<sup>15</sup>,** other than legal entities defined under paragraph a, established for the specific purpose of meeting needs in the general interest (needs not having an industrial or commercial character) and which fulfils at least one of the following conditions:
    - i. be financed, for the most part, by the national, regional or local authorities, or other bodies governed by public law or
    - ii. be subject to management supervision by those bodies or
    - iii. have an administrative, managerial or supervisory board, more than half of whose members are appointed by the national, regional or local authorities, or by other bodies governed by public law;E.g.: state/regional owned institute, state owned university;
  - c. associations:** formed by one or several national, regional or local public authorities or one or several bodies governed by public law, as defined under paragraphs a-b or other non-profit organization; E.g.: NGOs, associations, unions, foundations, Euro regions, EGTC;

<sup>14</sup> According with Article 14 of ENPI Regulation.

<sup>15</sup> Bodies governed by public law as defined in Article 1(9) of Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:134:0114:0240:EN:PDF>) and in compliance with the national legislation of each participating country.



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**d. public undertaking**<sup>16</sup> operating in the water, energy and transport services sectors, undertakings over which the legal entities defined under paragraphs a-c may exercise directly or indirectly a dominant influence by virtue of their ownership of it, their financial participation therein, or the rules which govern it; a dominant influence on the part of the entities defined under paragraphs a-c shall be presumed when these entities, directly or indirectly, in relation to an undertaking:

- i. hold the majority of the undertaking's subscribed capital or
- ii. control the majority of the votes attaching to shares issued by the undertaking or
- iii. can appoint more than half of the undertaking's administrative, management or supervisory body

**e. international organizations**

and

- **be directly responsible for the preparation and management of the joint Action with their partners, not acting as an intermediary and**
- **be registered and located in the eligible area of the programme:**
  1. Armenia (all regions),
  2. Bulgaria (NUTS II regions of Severoiztochen and Yugoiztochen),
  3. Greece (NUTS II regions of Kentriki Makedonia and Anatoliki Makedonia - Thraki),
  4. Georgia (all regions),
  5. Republic of Moldova (all regions<sup>17</sup>)
  6. Romania (NUTS II region of South-East),
  7. Turkey<sup>18</sup> (NUTS II equivalent regions of İstanbul, Tekirdağ, Kocaeli, Zonguldak, Kastamonu, Samsun and Trabzon<sup>19</sup>),
  8. Ukraine (Odeska, Mykolayivska, Khersonska, Zaporizhska and Donetska Oblasts, Autonomous Republic of Crimea and the City of Sevastopol) or
- **be organizations whose headquarters are registered and located outside the programme area in actions implemented in the eligible area<sup>20</sup> - but in one of the eight participating countries - and:**
  - have local/regional subsidiary/branch offices established in the eligible area:
    - i. in case of a subsidiary (having legal personality) the subsidiary shall be the Applicant (and in case of contracting, it shall be the Beneficiary) / partner;

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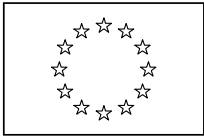
<sup>16</sup> Public undertaking as defined in Article 2(1)b of Directive 2004/17/EC of the European Parliament and of the Council of 31 March 2004 coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:134:0001:0113:EN:PDF>).

<sup>17</sup> According to the national legislation of the Republic of Moldova, the potential applicants from the Transnistrian area are eligible under the programme only if they are registered as legal entities in the Republic of Moldova.

<sup>18</sup> As candidate country financed by IPA, entities from Turkey may not act as Applicants, but only as partners.

<sup>19</sup> More precisely: NUTS II equivalent regions of TR10 (İstanbul), TR21 (Tekirdağ, Edirne, Kırklareli), TR42 (Kocaeli, Sakarya, Düzce, Bolu, Yalova), TR81 (Zonguldak, Karabük, Bartın), TR82 (Kastamonu, Çankırı, Sinop), TR83 (Samsun, Tokat, Çorum, Amasya) and TR90 (Trabzon, Ordu, Giresun, Rize, Artvin, Gümüşhane).

<sup>20</sup> Subject to approval of the JMC in the framework to these Guidelines for Grant Applicants; this exception can only be applied on the basis of a substantial justification showing that the Action cannot be implemented or would have difficulties in achieving its objectives without that Applicant/partner's participation as mentioned in art. 40 (2) of Regulation (EC) No 951/2007. The proposal will be evaluated by the Selection Committee under the technical evaluation stage and it will be up to JMC to decide on the necessity of the involvement of an Applicant/partner located outside the eligible area of the programme and grant the exception.



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- ii. in case of a branch (not having legal personality) the central organization shall be the Applicant (and in case of contracting, it shall be the Beneficiary) / partner;
- have no local/regional subsidiary/branch offices established in the eligible area, but are located at central/national/regional level, have exclusive competences in a field of activity and/or geographical area and demonstrate that their areas of legal competences established by legal acts<sup>21</sup> extend to the eligible area of the programme and also the proposed Action is for the full benefit of the eligible area of the programme.

In order to be able to act as **Applicant**, an organisation should be a legal entity registered and located either in a EU Member State or in a partner country (**all participant countries except Turkey, as candidate country financed by IPA**), it should be able to hold a dedicated bank account<sup>22</sup> for the joint Action, it needs to be legally able to transfer funds to foreign countries and it must have a proven technical, financial and operational capacity to manage the proposed joint Action.

**Each partner organisation** has to confirm that it fulfils the criteria either a, b, c, d or e as defined above in the Partnership Statement (see Section 6 in the Grant Application Form).

In the **joint Actions which involve the participation of one or more Turkish partners**, the Turkish partners shall appoint an IPA Financial Lead Beneficiary (Lead Beneficiary as in IPA terminology), who - if the application is approved - shall sign a Grant Contract for IPA funds with the Central Finance and Contracts Unit (CFCU) in Turkey.

**Legal entities not meeting the above mentioned eligibility criteria are welcomed to participate in Actions as “associates”.** See also Section 2.1.2.

In accordance with the provisions set out in the *European Neighbourhood and Partnership Instrument Cross-Border Cooperation: Strategy Paper 2007-2013*, in case of proposals receiving the same score, **priority shall be given as listed in the following order to local and regional authorities, civil society and NGO’s, chambers of commerce, and the academic and educational community.**

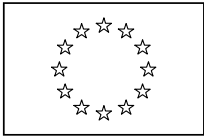
**(2) Potential Applicants and their partners may not participate in Calls for Proposals or be awarded grants if they are in any of the following situations:**

- (a) They are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or EU regulations;
- (b) They have been convicted of an offence concerning their professional conduct by a judgement which has the force of *res judicata* (e.g. against which no appeal is possible);
- (c) They have been guilty of grave professional misconduct proven by any means which the Joint Managing Authority can justify;
- (d) They have not fulfilled obligations relating to the payment of debts to the consolidated state budget in accordance with the legal provisions of the country in which they are established;

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<sup>21</sup> The expressions “exclusive competences in a field of activity” and “areas of legal competences established by legal acts” are intended to designate an authority or a body which fulfils a unique function for the respective country. The proof must be a legal act, meaning an act that comes from competent state authorities.

<sup>22</sup> If proposal is selected and before contracting, the Applicant must open a dedicated bank account for the implementation of the joint Action, EUR currency being strongly recommended, due to high currency exchange risks.



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(e) They have been the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;

(f) They are currently subject to an administrative penalty referred to in Art.96 (1) of the Financial Regulation<sup>23</sup>.

The cases referred to in point (e) applicable are the following:

1) Cases of fraud as referred to in Article 1 of the Convention on the protection of the European Communities' financial interests drawn up by the Council Act of 26 July 1995<sup>24</sup>;

2) Cases of corruption as referred to in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, drawn up by the Council Act of 26 May 1997<sup>25</sup>;

3) Cases of participation in a criminal organisation, as defined in Article 2(1) of joint Action 98/733/JHA (Justice and Home Affairs) of the Council<sup>26</sup>;

4) Cases of money laundering as defined in Article 1 of Council Directive 91/308/EEC<sup>27</sup>.

In Sections 3.4 and 4.4 of the Grant Application Form (“Declaration by the Applicant” and “Declaration by the IPA Financial Lead Beneficiary”), Applicants/IPA Financial Lead Beneficiaries must declare that they do not fall into any of these situations.

(3) Indicative list with examples of potential Applicants and partners:

**Priority 1 - Supporting cross border partnerships for economic and social development based on combined resources**

*Measure 1.1: Strengthening accessibility and connectivity for new intra regional information, communication, transport and trade links*

- public administrations and their institutions,
- public undertakings,
- development agencies,
- ports, rails and roads management authorities,
- naval communication authorities,
- operators and service providers on electronic communication,
- rural development authorities,
- agricultural, forestry and fishery authorities,
- chambers of commerce, business incubators, trade unions associations, cooperatives, consumer organisations, professional associations, associations of agricultural producers and fishermen,
- research and training institutions active in economic and social development,
- NGOs active in economic and social development, information and communication technologies, supporting and promoting SMEs, business development, entrepreneurship,

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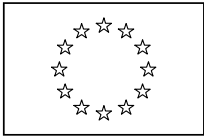
<sup>23</sup> The Joint Managing Authority may impose administrative or financial penalties on the following: (a) candidates or tenderers who are guilty of misrepresentation in supplying the information required by the managing authority as a condition of participation in the procurement procedure or fail to supply this information; (b) contractors who have been declared to be in serious breach of their obligations under contracts covered by the budget. In all cases, however, the managing authority must first give the person concerned an opportunity to present his observations.

<sup>24</sup> OJ C 316, 27.11.1995, p.48.

<sup>25</sup> OJ C 195, 25.6.1997, p.1.

<sup>26</sup> OJ L 351, 29.12.1998, p. 1. Joint Action of 21 December 1998 making it a criminal offence to participate in a criminal organisation in the Member States of the European Union

<sup>27</sup> OJ L 166, 28.6.1991, p. 77. Directive of 10 June 1991, as amended by Directive 2001/97/EC of the European Parliament and of the Council of 4 December 2001 (OJ L 344, 28.12.2001, p.76)



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- marketing and innovation, promoting accessibility and international trade links, promoting local traditional products on the international market,
- civil society / local community organisations,
- Euroregions,
- Other public or non-profit organisations.

*Measure 1.2: Creation of tourism networks in order to promote joint tourism development initiatives and traditional products*

- public administrations and their institutions,
- development agencies,
- public undertakings,
- tourism public authorities,
- associations of tourism agencies and operators, tourists organisations,
- rural development authorities,
- chambers of commerce, professional associations,
- research and training institutions active in tourism,
- NGOs active in supporting and promoting cross-border tourism, developing new tourism products and standards, promoting accessibility and sustainable tourism,
- civil society / local community organisations,
- Euroregions,
- Other public or non-profit organisations.

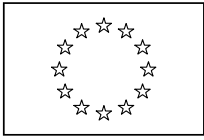
*Measure 1.3: Creation of administrative capacity for the design and implementation of local and regional development policies*

- public administrations and their institutions,
- development agencies,
- urban and rural development institutions,
- research and training institutions active in the following fields: administrative capacity, development policies, urban and rural development and rehabilitation, supporting SMEs and business development, marketing, innovation, economic and social development,
- NGOs active in the following fields: administrative capacity, development policies, urban and rural development and rehabilitation, supporting SMEs and business development, marketing, innovation, economic and social development,
- civil society / local community organisations,
- Euroregions,
- other public or non-profit organisations.

**Priority 2: Sharing resources and competencies for environmental protection and conservation**

*Measure 2.1 Strengthening the joint knowledge and information base needed to address common challenges in the environmental protection of river and maritime systems*

- public administrations and their institutions,
- development agencies,
- public undertakings,
- decentralised and/or local governmental public services,
- waste, water and wastewater management bodies,
- environmental protection agencies and similar institutions,
- natural protected areas and reservations administrations,
- rural development authorities,
- agricultural, forestry and fishery authorities,
- educational institutions (universities, colleges, schools, vocational schools),



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- research and training institutions in environmental protection and conservation,
- emergency situations institutions and other bodies involved in developing emergency plans,
- protection against floods bodies,
- ports management authorities,
- NGOs active in environmental protection and conservation,
- civil society / local community organisations,
- Euroregions,
- other public or non-profit organisations.

*Measure 2.2 Promoting research and innovation in the field of conservation and environmental protection of protected natural areas*

- public administrations and their institutions,
- development agencies,
- public undertakings,
- environmental protection agencies and similar institutions,
- natural protected areas and reservations administrations,
- rural development authorities,
- agricultural, forestry and fishery authorities,
- educational institutions (universities, colleges, schools, vocational schools),
- research and training institutions in environmental protection and conservation,
- NGOs active in environmental protection and conservation,
- civil society / local community organisations,
- Euroregions,
- other public or non-profit organisations.

*Measure 2.3 Promotion of cooperation initiatives aimed at innovation in technologies and management of Waste and Wastewater Management systems*

- public administrations and their institutions,
- development agencies,
- public undertakings,
- decentralised and/or local governmental public services,
- waste, water and wastewater management bodies,
- environmental protection agencies and similar institutions,
- natural protected areas and reservations administrations,
- rural development authorities,
- agricultural, forestry and fishery authorities,
- educational institutions (universities, colleges, schools, vocational schools),
- research and training institutions in environmental protection and conservation,
- NGOs active in environmental protection and conservation,
- civil society / local community organisations,
- Euroregions,
- other public or non-profit organisations.

**Priority 3: Supporting cultural and educational initiatives for the establishment of a common cultural environment in the Basin**

*Measure 3.1 Promoting cultural networking and educational exchange in the Black Sea Basin communities*

- public administrations and their institutions,
- development agencies,
- public undertakings,
- cultural institutions and operators (museums, libraries, theatres, operas, philharmonics, arts and cultural heritage institutions etc.),



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- educational institutions (universities, colleges, schools, vocational schools),
- research and training institutions active in the cultural and social areas,
- NGOs active in the cultural and social areas,
- civil society / local community organisations,
- Euroregions,
- other public or non-profit organisations.

#### **Ineligible Applicants and partners:**

- profit making entities from the private sector;
- political parties;
- natural persons.

### **2.1.2 Eligibility of partnerships**

Applicants must act with partner organisations as specified hereafter.

#### **Minimum obligatory requirements:**

The joint Actions (projects) will be submitted and implemented by **partnerships that will always involve partners from:**

- **one or several Member States** (Bulgaria, Greece, Romania) **and**
- **one or several partner countries**<sup>28</sup> (Armenia, Georgia, R. Moldova, Ukraine)<sup>29</sup>.

The participation of Turkish partners<sup>30</sup> is only possible in joint Actions involving **at least:**

- **one partner from a Member State and**
- **one partner from a partner country.**

#### **Recommendations:**

- The partnerships submitting and implementing joint Actions should be formed by **at least 4 partners from at least 4 different countries**, in full compliance with the minimum obligatory requirements mentioned above;
- The partnerships should **not exceed 8 partners**;
- All partnerships should strive to create permanent networks/partnerships.

#### **Rewarded partnerships:**

- **Additional 5 points shall be awarded to the joint Actions that have at least 3 partners coming from 3 of the following countries: Armenia, Georgia, R. Moldova, Ukraine and Turkey.**

All partnerships will be led by an Applicant (Beneficiary) responsible for the management of the joint Action in question and signing a Grant Contract on behalf of the partnership with the JMA.

<sup>28</sup> Partner countries are included in the Annex to the ENPI Regulation (EC) No 1638/2006.

<sup>29</sup> The beneficiary countries are included in Annex I to the IPA Regulation (EC) No 1085/2006.

<sup>30</sup> As candidate country financed by IPA, entities from Turkey may not act as Applicants, but only as partners.



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Applicants' partners participate in designing and implementing the joint Action, and the costs they incur are eligible in the same way as those incurred by the Applicant (Beneficiary). They must therefore satisfy the eligibility criteria as applicable on the Applicant (Beneficiary) himself.

*For joint Actions which involve the participation of one or more **Turkish partners**, the Turkish partners shall appoint an **IPA Financial Lead Beneficiary** (Lead Beneficiary as in IPA terminology<sup>31</sup>) among themselves. The CFCU will sign an IPA Grant Contract for the corresponding IPA funds with the IPA Financial Lead Beneficiary defining all arrangements for the implementation of the IPA part of the joint Action. The IPA Financial Lead Beneficiary shall cooperate closely with the ENPI Beneficiary for a successful implementation of the joint Action and with the aim of ensuring single operational reporting of the joint Action, even if differentiating between ENPI and IPA expenditure. The IPA Financial Lead Beneficiary will report on financial issues to the CFCU, according to the provisions laid down in the relevant IPA Grant Contract.*

The **Applicant (Beneficiary)** shall assume the following **responsibilities**:

- Sign the ENPI Grant Contract with the JMA;
- Lay down the arrangements for its relations with its partners in a “Partnership Agreement” comprising, inter alia, provisions guaranteeing the sound financial management of the funds allocated to the operation, including the arrangements for recovering amounts unduly paid;
- Sign a Partnership Agreement with each partner as a prior condition for concluding the ENPI Grant Contract with the JMA.
- Ensure the implementation and coordination of the entire Action;
- Transfer the ENPI contribution to its ENPI partners;
- Ensure that the expenditure presented by its partners has been paid for the purpose of implementing the operation and corresponds to the activities agreed between the partners;
- Ensure the sound financial management of the whole Action. It shall contract auditors or use the designated controllers for the verification of expenditure in accordance with programme procedures<sup>32</sup>;
- Claim the reimbursement of expenses from the JMA, and transfer these reimbursements to the partners;
- Organize the recovery of amounts unduly spent;
- Record and store project documents (originals and copies) in a manner specified in the Grant Contract;
- Provide the JMA with all data relevant for monitoring indicators as outlined in the Grant Contract;

The **partners** shall assume the following **responsibilities**:

- Sign a Partnership Agreement with the Applicant as a prior condition for concluding the Grant Contract with the JMA.
- Ensure the implementation of the joint Action's activities under their responsibility according to the plan of the joint Action and the contract signed with the Beneficiary;
- Cooperate with the Beneficiary and the partners in the implementation of the joint Action, the reporting and monitoring;
- Provide financial and progress reports, including all supporting documentation, to the auditors/controllers for the verification of expenditure per each of the reporting periods

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<sup>31</sup> Commission Regulation (EC) No 718/2007 of 12 June 2007 implementing Council Regulation (EC) No 1085/2006 establishing an Instrument for Pre-accession Assistance (IPA), art. 96.

<sup>32</sup> Programme procedures will be those of PRAG, with the derogations and additions agreed by the Joint Monitoring Committee and approved by EC, and published as annex to these guidelines on the programme website.



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established for the joint Action and ensure full cooperation and assistance for the timely and accurate performance of verification;

- Assume responsibility in the event of any irregularity in the expenditure they have declared, and repay the Beneficiary the amounts unduly received or unduly spent;

**Before an application is submitted**, each partner (by legally authorised representative(s)) intending to participate in the joint Action has to sign a **Partnership Statement** (see Sections 4.5 and 5.2 of the Grant Application Form).

**For the objective evaluation of the partnership, the real role and involvement of the partners during preparation, implementation, financing and management, as well as utilisation of the proposed joint Action outputs and results after completion must be described in detail and endorsed by all partners. Two copies of this document should be provided and included in the Grant Application Form, under Sections 4.5 and 5.2.**

**All applications that do not contain all Partnership Statements signed by the legal authorized representative<sup>33</sup> of each of the partners shall be rejected.**

**If the application is selected, the Applicant shall become the contracting party of the grant (the "Beneficiary"). Partnership Agreements between the Beneficiary and each partner must be signed and provided to the JMA as a prior condition for the signature of the Grant Contract between the JMA and the Applicant. An indicative template of Partnership Agreement is presented in Annex I to these Guidelines<sup>34</sup>.**

Other organisations may be involved in the joint Action. The following entities do not bear the status of "partners" and therefore they do not have to sign the "partnership statement":

- "Associates"

Such associates play a real role in the joint Action, but may not receive funding from the grant with the exception of travel and subsistence costs (to be reflected in the budget of the Applicant and/or partner(s)). "Associates" do not have to meet the eligibility criteria referred to in Section 2.1.1. The associates have to be mentioned in Section 6 - "Associates of the Applicant/partners participating in the Action" of the Grant Application Form.

- Contractors

The grants Beneficiaries and their partners have the possibility to award contracts. Contractors are neither partners nor associates, and are subject to the procurement rules set out in Annex IV to the Standard Grant Contract.

### **2.1.3 Eligible joint Actions: joint Actions for which an application may be made**

**Definition:** A joint Action (or project) is composed of a set of activities organized in Groups of Activities defined by milestones within which the activities will be carried out, outputs will be produced and results will be delivered. The joint Actions are implemented by the Applicants and their partners.

<sup>33</sup> In case one of the Partnership Statements is sent as copy/scanned version, the original document shall be requested.

<sup>34</sup> **Annex Ia** for Partnership Agreement between ENPI Beneficiary and ENPI Partner and **Annex Ib** for Partnership Agreement between ENPI Beneficiary and IPA Financial Lead Beneficiary.



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### Duration

- The initial planned duration of a joint Action requesting an overall grant (ENPI) of Eur 50,000 up to Eur 100,000 may not exceed 12 months;
- The initial planned duration of a joint Action requesting an overall grant (ENPI/ENPI+IPA) equal to or over Eur 100,000 up to Eur 1,400,000 may not exceed 24 months.

All joint Actions shall be implemented no later than 31<sup>st</sup> December 2014.

### Location

The joint Actions must take place in one or more of the following eligible areas:

1. Armenia (all regions),
2. Bulgaria (NUTS II regions of Severoiztochen and Yugoiztochen),
3. Greece (NUTS II regions of Kentriki Makedonia and Anatoliki Makedonia - Thraki),
4. Georgia (all regions),
5. Republic of Moldova (all regions),
6. Romania (NUTS II region of South-East),
7. Turkey (NUTS II equivalent regions of İstanbul, Tekirdağ, Kocaeli, Zonguldak, Kastamonu, Samsun and Trabzon<sup>35</sup>),
8. Ukraine (Odeska, Mykolayivska, Khersonska, Zaporizhska and Donetska Oblasts, Autonomous Republic of Crimea and the City of Sevastopol).

### Types of joint Actions:

Three types of joint Actions are eligible<sup>36</sup>:

1. **Integrated:** in which the Applicant and its partners carry out mainly different complementary activities in several countries that jointly achieve a certain objective having a cross border impact;
2. **Symmetrical:** in which the Applicant and its partners carry out mainly similar activities in all the countries participating in the Action, having a cross border impact;
3. **Implemented mainly or entirely in a single participating-country,** but having a cross-border impact.

Only 10% of this Call for Proposals budget will be available for joint Actions implemented mainly or entirely in a single participating-country, *but having a cross-border impact*.

The joint Actions implemented within the Black Sea Basin Programme should always have a cross-border character, which shall be understood in terms of respecting at least two of the following conditions, as described below: joint development, joint staffing, joint implementation and/or joint financing.

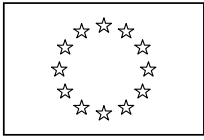
- Joint development* - means that the joint Action must be designed in common by partners, meaning that applications must clearly integrate the ideas, priorities and actions of all stakeholders. The Applicant (Beneficiary) is the coordinator of this process, but should include other partners from the beginning of the development process;

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<sup>35</sup> More precisely: NUTS II equivalent regions of TR10 (İstanbul), TR21 (Tekirdağ, Edirne, Kırklareli), TR42 (Kocaeli, Sakarya, Düzce, Bolu, Yalova), TR81 (Zonguldak, Karabük, Bartın), TR82 (Kastamonu, Çankırı, Sinop), TR83 (Samsun, Tokat, Çorum, Amasya) and TR90 (Trabzon, Ordu, Giresun, Rize, Artvin, Gümüşhane).

<sup>36</sup> Art. 41 of Regulation (EC) No 951/2007.





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- Joint implementation** - means that the activities to be carried out for the implementation of the joint Action are distributed in a balanced way among the partners. There is a clear content-based link between the activities implemented in each country/region and regular contacts are ensured between all the sides. The Applicant (Beneficiary) is responsible for ensuring that the activities are properly coordinated, that schedules are kept and that the right quality levels are achieved;
- Joint staffing** - means that the joint Action should not duplicate functions. Therefore, regardless of where the person is registered and located, there should be one joint Action manager, one joint financial manager etc. (more staff may be required for larger projects). These staff will be responsible for project activities on all sides of the borders. The Applicant (Beneficiary) is generally the employer of core project staff;
- Joint financing** - means that there will be only *one ENPI Grant Contract* per joint Action and there must be *one common budget* and *common reporting*. The common budget shall be divided between the partners according to a balanced distribution of activities to be carried out by them. There is also only *one project bank account*<sup>37</sup> - held by the Applicant (Beneficiary) - and payments (from ENPI) are made from the programme to this account. The Applicant (Beneficiary) is responsible for the administration and distribution of these funds to the partners and for reporting on their use. Exception will be made in case of joint Actions involving IPA partner(s) where the IPA Lead Beneficiary will sign the IPA Grant Contract with CFCU in Turkey for the IPA funds and it will have a separate bank account for IPA funds<sup>38</sup>. Co-financing should be provided by each partner illustrating the commitment by each partner to the joint Action.

In addition to the priorities addressed by the Programme, three **cross cutting themes** are central to this programme. Project Applicants are expected to consider these criteria when developing their projects (Grant Application Form, section 2.1.4 Particular added value elements (p.1).

- Sustainable Development** The Programme is looking to foster the development potential of the Programme area in a sustainable manner.
- Equal Opportunities** During the preparation and implementation of the projects, the beneficiaries should take into consideration that all groups in the society have equal access to the opportunities and benefits of the Programme. Equal opportunities should include women, children/youth, the disabled, ethnic minorities and other disadvantaged groups.
- Territorial Cohesion** The principle of territorial co-operation is a key issue in many EU programmes. The Programme is aimed to stimulate economic development in its area in order to reduce the regional disparities between the regions from Black Sea Basin.

**All joint Actions must have a cross border impact on the targeted countries/regions demonstrated by the proposed activities, outputs and results intended to produce sustainable positive effects in the areas concerned.**

**The following provisions have to be followed in the implementation of all joint Actions<sup>39</sup>:**

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<sup>37</sup> Bank accounts in EUR are strongly recommended, due to high currency exchange risks.

<sup>38</sup> Bank accounts in EUR are strongly recommended, due to high currency exchange risks.

<sup>39</sup> These provisions are only indicative examples of the rules to be observed under all operations or part of operations.



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- The joint Actions must not create an economic advantage to an economic operator (“undertaking” in the sense of state aid rules);
- All expenditure must be made according to the relevant rules on public procurement (PRAG rules as described in Annex IV of the Standard Grant Contract);
- All the joint Action results shall be free of charge and shall be made available to the general public in public spaces/areas;
- Only the public bodies which have the right to declare a service as a service of “general economic interest”, when applying for a joint Action, shall define through a legal/administrative act the service as a “service of general economic interest”;
- The infrastructure used for implementing the joint Action has to be the property of the public body, only the administration and services may be entrusted to a contractor through a public tender procedure, and only under the condition that the contractor pays a market royalty to deliver this service and only in such manner that the rent for the infrastructure administration and the royalty for service operation paid by the contractor are at the market price;
- The Applicants/partners must set fees in line with the market prices, for the economic operators who establish their headquarters in a business infrastructure facility (e.g. organization of cross-border business events, facilitating the meeting of small and medium sized businesses - sectoral conferences, trade fairs, study tours, forums for searching partners and dissemination of information on the cross-border cooperation results and projects or construction/rehabilitation/extension of business infrastructure facilities, joint logistical centers, trade centers) directly serving the development of cross-border business and trade.

**The following types of joint Actions are ineligible:**

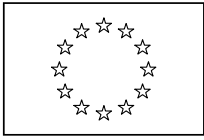
- Revenue and profit generating joint Actions that create an economic advantage for the Applicant/partner located in a Member State, which acts as an undertaking in the sense of national state aid rules, leading to a distortion of the competition;
- Joint Actions concerned only or mainly with individual sponsorships for participation in workshops, seminars, conferences, congresses;
- Joint Actions concerned only or mainly with individual scholarships for studies or training courses;
- Projects related to the tobacco industry, production of alcoholic distilled beverages (excluding local and traditional products), fire arms and munitions.

**State aid rules**

State aid rules as defined in the Member States national legislation (Bulgaria, Greece, Romania) shall be followed by the Bulgarian, Greek and Romanian Applicants and partners.

**2.1.4 Eligible activities within the joint Actions for which an application may be made**

An indicative list with *examples of types of activities* which may be financed under this Call for Proposals is presented below:



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## **Priority 1 - Supporting cross border partnerships for economic and social development based on combined resources**

### *Measure 1.1: Strengthening accessibility and connectivity for new intra regional information, communication, transport and trade links*

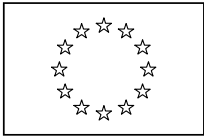
- Promotion of international trade links in the area, including with respect to trade in energy;
- Support to the promotion of traditional products from Black Sea agriculture on the international market;
- Development of cooperation networks aimed at promoting the use of information and communication technologies in local/regional economic initiatives;
- Establishment of partnerships for needs assessment and project generation activities - e.g. through feasibility studies;
- Pre-feasibility studies for small-scale transport infrastructures for a better integration of less developed areas and tourist destinations in the Basin;
- Setting up networks of research and innovation centres that will facilitate the identification of projects for infrastructure that can then be supported by other EU programmes and initiatives or other national and international institutions;
- Common initiatives for promoting transit transportation infrastructures in the region aimed at increasing freight and passenger transportation efficiency;
- Pre-feasibility and preliminary studies for the development of environmental friendly, safe and reliable maritime routes;
- Common initiatives for promoting integrated urban-port strategies in the Black Sea Basin, pre-feasibility and preliminary studies for the reintegration of old ports into the city;
- Cooperation between civil aviation authorities for future extending of the European Common Aviation Area to the Black Sea countries.

### *Measure 1.2: Creation of tourism networks in order to promote joint tourism development initiatives and traditional products*

- Creation of networks of agencies active in the tourism sector to increase the economic impact of tourism in the areas, e.g. a cultural route between Black Sea and Caspian Sea;
- Partnerships between authorities of natural protected areas for the promotion of sustainable tourism in the natural areas of the Black Sea Basin;
- Networks of tourism agencies for the promotion of common initiatives on the international market;
- Creation of cross-border tourism products and common service standards (thematic routes, quality systems etc);
- Cooperation partnerships aimed at preventing or counteracting migration of most skilled workers to EU-industrialized countries /prevention of "brain drain".

### *Measure 1.3 Creation of administrative capacity for the design and implementation of local and regional development policies*

- Establishment of a Black Sea Basin network for capacity building for local and regional administrators through the exchange of good practices and innovations for local development;
- Networks for the promotion of innovative urban and rural planning and management methodologies for urban development and rehabilitation;
- Partnerships among development agencies for the exchange of expertise, competencies and innovation in development policies e.g. training of development agents and application of common methodologies for SMEs development;
- Training for staff of local bodies and institutions supporting SMEs, especially for the improvement of capacity to operate in interregional initiatives (e.g. marketing plans, product development and small business management);



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- Promoting exchanges of good practices supporting social and economic integration of migrants (inclusion in the labour market, education, languages, dedicated services related to housing, social services and legal assistance, etc.).
- Cross-border actions aimed at improving training standards (qualification and vocational training responding to the demand of productive sectors), at promoting entrepreneurship and certification of skills and at encouraging the inclusion of young people in the labour market.
- Promotion of twinning initiatives among local administrations in the area, for the establishment of a positive framework for cross border cooperation;

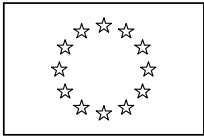
## **Priority 2: Sharing resources and competencies for environmental protection and conservation**

### *Measure 2.1 Strengthening the joint knowledge and information base needed to address common challenges in the environmental protection of river and maritime systems*

- Support to the creation of joint action plans and/or carrying out feasibility studies of research institutions and/or regional organisations in the fields related to maritime natural systems;
- Exchange of experiences and good practices through the establishment of cooperation partnerships among environmental NGOs and educational institutions;
- Establishment or strengthening of networks for the development in partnership of methodologies and capabilities of the responsible rescue authorities in view of the response to oil spills on the coastal area and the mitigation of marine pollution;
- Promotion of monitoring of environmental factors, through partnerships of institutions responsible for pollution control in the Black Sea Basin;
- Support to the development in partnership of contingency plans in order to ensure the ability of the Black Sea coastal authorities to respond to pollution;
- Cross-border partnerships for the implementation of scientific studies, especially those relevant for monitoring and/or addressing environmental risks in the Black Sea Basin;
- Establishment or strengthening of existing cooperation partnership for identifying/eliminating land-originating polluters, arising especially from agricultural activities, and for exploring methods of their elimination;
- Preparation/promotion or implementation of scientific studies in the fields of monitoring, control and protection of the maritime system and of rivers in the area;
- Development of concepts for coordination and cooperation in case of natural or man-made disasters;
- Development of joint Maritime Spatial Planning and/or regional Strategies for Integrated Coastal Zones Management,
- Promoting/fostering marine observation and data networks for Black Sea Basin JOP eligible area in order to integrate the existing and new marine data, allowing a long term monitoring and a high quality process for risks assessment;
- Supporting regional fisheries management cooperation initiatives.

### *Measure 2.2 Promoting research and innovation in the field of conservation and environmental protection of protected natural areas*

- Creation or strengthening of networks between authorities managing natural protected areas in order to exchange expertise, good practices and innovation in technical and scientific methodologies and in addition to support the monitoring, protection and conservation of natural resources and biodiversity;
- Development of joint strategies, methodologies, and/or action plans to ensure the promotion of sustainable tourism in the natural protected areas of the Black Sea



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- Establishment or strengthening of networks for joint development of planning and management methodologies and the creation of databases for the natural protected areas of the Black Sea Basin;
- Training and raising awareness for citizens living in protected natural areas.

*Measure 2.3 Promotion of cooperation initiatives aimed at innovation in technologies and management of Waste and Wastewater Management systems*

- Partnerships among institutions for exchange of know how related to innovative technologies and procedures for waste management and disposal;
- Support to information and educational activities, including awareness-raising campaigns, in the field of wastewater and solid waste management, water saving and waste recycling;
- Partnerships for innovation in waste management in regions with significant seasonal tourism flows that are concentrated in particular areas;
- Partnerships of authorities for the exchange of good practices and governance tools in the sectors of solid waste and wastewater management - based on EU approaches.

**Priority 3: Supporting cultural and educational initiatives for the establishment of a common cultural environment in the Basin**

*Measure 3.1 Promoting cultural networking and educational exchange in the Black Sea Basin communities*

- Activities for the promotion of cultural heritage values;
- Strengthening of the regional identity through networking of cultural institutions and operators<sup>40</sup> in the Black Sea Basin;
- Creation of networks of cultural centres, sharing cultural values from all regions;
- Exchange of experiences with traditional popular culture through the promotion of joint cultural events in the Black Sea Basin.
- Exchange programmes for students and academics aiming at the establishment of channels of cultural integration in the Black Sea Basin;
- Partnerships among universities, high schools and research centres aimed at the design and development of special educational programmes based on topics of common interest in the Black Sea Basin;
- Networks for the exchange of experience in adapting education and vocational training systems to the needs of a market economy, based on common approaches, in cooperation with already existing regional/national structures;
- Partnerships contributing to address the challenges of migration and the risks of conflicts;
- Cooperation for future setting up of an Institute of European Studies in the Black Sea Region.

**The following types of activities are ineligible**

- Activities of political, ideological or religious nature;
- Investments in modernization and development of transport infrastructure.

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<sup>40</sup> E.g. museums, libraries, theatres, operas, philharmonics, arts and cultural heritage institutions etc.



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### Number of applications and grants per Applicant<sup>41</sup>

- An Applicant may submit more than one application under this Call for Proposals.
- An Applicant may not be awarded more than three grants<sup>42</sup> under this Call for Proposals, one grant per each priority.
- An Applicant may at the same time be partner in another/other application(s).
- Partners may take part in more than one application.

The Selection Committee may decide to limit the number of grants awarded to one Applicant and shall justify its decision in the Evaluation Report (e.g. other grants awarded under other measures).

Please note that the application must comply with the objectives and priorities of this Call for Proposals and each Beneficiary and its partners have to guarantee the Visibility of the EU-financing in accordance with provision of the Visual Identity Manual of the Joint Operational Programme, published on the website of the programme: [www.blacksea-cbc.net](http://www.blacksea-cbc.net)

### **2.1.5 Eligibility of costs: costs which may be taken into consideration for the grant**

Only "eligible costs" can be taken into account for a grant. The categories of costs considered as eligible and non-eligible are indicated below. The budget is both a cost estimate and a ceiling for "eligible costs". Note that the eligible costs must be based on real costs based on supporting documents (except for subsistence costs and indirect costs, where flat-rate funding applies).

The JMC decisions to award a grant are always subject to the condition that the checking process which precedes the signing of the contract does not reveal problems requiring changes to the budget (for instance arithmetical errors, inaccuracies or unrealistic costs and other ineligible costs). The checks may give rise to requests for clarification and may lead the Joint Managing Authority and/or CFCU to impose modifications or reductions to address such mistakes or inaccuracies. The amount of the grant and the percentage of the EU co-financing as a result of these corrections may not be increased.

It is therefore in the Applicant's and partners' interest to provide a **realistic and cost-effective budget**.

#### Eligible direct costs

To be eligible under the Call for Proposals, costs must comply with the provisions of article 14 of the General Conditions to the Standard Grant Contract (see Annex II), as described also below.

Note that taxes, including VAT, will only be accepted as eligible costs when the Beneficiary and its partners can show it cannot reclaim them based on the provisions of their national legislation and taking into account the conditions set up in the Financing Agreements in case of partner countries and Turkey.

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<sup>41</sup> In case of a subsidiary (having legal personality), the subsidiary shall be the Applicant, and in case of contracting, it shall be the Beneficiary. In case of a branch (not having legal personality), the central organization shall be the Applicant, and in case of contracting, it shall be the Beneficiary.

<sup>42</sup> According with PRAG provisions (Section 6.4.8.6), where several proposals submitted by the same Applicant are selected for financing, but the Applicant does not prove to have the necessary capacity required to implement all selected proposals for which grants may be awarded, the Selection Committee shall reject the proposal(s) which has (have) been awarded a lower score, and select the proposal(s) that the Applicant has the capacity to implement.



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**Eligible costs are costs actually incurred by the Beneficiary of the grant and its partners, which meet all the following criteria:**

- a) **they are incurred during the implementation of the joint Action** as specified in Article 2 of the Special Conditions (see the Standard Grant Contract) with the exception of costs relating to final reports, expenditure verification and evaluation of the Action, whatever the time of actual disbursement by the Beneficiary and/or its partners. Procedures to award subcontracts for goods/services/works used/provided/delivered during the implementation period may have been initiated, but contracts may not be concluded by the Beneficiary or its partners before the start of the implementation period of the joint Action, provided the provisions of Annex IV of the Standard Grant Contract were respected.
- b) **must be indicated in the estimated overall budget of the joint Action,**
- c) **must be necessary for the implementation of the joint Action** which is the subject of the grant,
- d) **must be identifiable and verifiable, in particular being recorded in the accounting records of the Beneficiary and its partners and determined according to the applicable accounting standards of the country where the Beneficiary and its partners are established and according to the usual cost accounting practices of the Beneficiary and its partners,**
- e) **must be reasonable, justified and comply with the requirements of sound financial management, in particular regarding economy and efficiency.**

**Subject to the above and where relevant to the provisions of Annex IV of the Standard Grant Contract being respected, the following direct costs of the Beneficiary and its partners shall be eligible:**

- **cost of staff assigned to the joint Action**, corresponding to actual salaries including statutory deductions<sup>43</sup> and other remuneration-related costs; salaries and costs must not exceed those normally borne by the Beneficiary or its partners, as the case may be, unless it is justified by showing that it is essential to carry out the joint Action;
- **travel and subsistence costs** for staff and other persons taking part in the Action, provided they do not exceed those normally borne by the Beneficiary or its partners, as the case may be; any flat-rate reimbursement of subsistence costs must not exceed the per diem rates set out in Annex H (presented as example) - Daily allowance rate, as published by the European Commission at the time of signing the contract;
- **purchase (new) or rental (new or used) costs for equipment and supplies** specifically for the purposes of the joint Action, and costs of services, provided they correspond to market rates;
- **costs of consumables;**
- **subcontracting expenditure;**
- **costs deriving directly from the requirements of the Grant Contract** (dissemination of information, evaluation specific to the joint Action, expenditure verification, translation, reproduction, insurance, etc.) **including financial service costs** (in particular the cost of transfers and financial guarantees);
- **any other cost necessary for the implementation of the joint Action**, in line with the national legislations and the Budget of the joint Action.

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<sup>43</sup> According to their respective national legislation.



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### Contingency reserve

A contingency reserve not exceeding 2% of the subtotal direct eligible ENPI and respectively 2% of the subtotal direct eligible IPA (where the case) costs may be included in the Budget of the joint Action, without increasing the total amount to be financed by the Joint Managing Authority. It can only be used with the **prior written authorisation** of the Joint Managing Authority in case of ENPI funds and of the CFCU in Turkey for IPA funds.

### Eligible indirect costs (overheads)

A fixed percentage not exceeding 7% of the total amount of direct eligible costs of the joint Action may be claimed as indirect costs to cover the administrative overheads incurred by the Beneficiary and partners for the joint Action, without increasing the total amount to be financed by the JMA.

The applicant may be asked to justify the requested percentage before contracting. However, once the flat-rate has been fixed in the special conditions of the standard grant contract, it does not need to be supported by accounting documents.

Indirect costs are eligible provided that they do not include costs assigned to another heading of the Budget of the joint Action (Annex B1 and Annex B2 to these Guidelines).

**Details regarding the eligibility of expenditure by budget lines are presented in Annex G to these Guidelines for Grant Applicants, which is neither exhaustive nor binding.**

### Contributions in kind

Contributions in kind are **not** considered actual expenditure and are **not** eligible costs. The contributions in kind may not be treated as co-financing by the Beneficiary or its partners. However, any contribution in kind must be explained in Section 2.4.2 Methodology of the Grant Application Form (Annex A).

**The cost of staff assigned to the joint Action is not a contribution in kind and may be considered as co-financing in the Budget of the Action when paid by the Beneficiary or its partners.**

**Notwithstanding to the above, if the Description of the Action foresees the contributions in kind, such contributions have to be provided and proved.**

### Ineligible costs

The following costs are not eligible:

- contributions in kind;
- debts and debt service charges;
- provisions for losses or potential future liabilities;
- interest owed;
- costs declared by the Applicant (Beneficiary)/partner and covered by another action or work programme;
- purchases of land or buildings;
- currency exchange losses;
- **taxes, including VAT, unless the Beneficiary or the Beneficiary's partners can prove it cannot reclaim them;**
- credits to third parties;
- any cost incurred prior to signature of the grant contract (including costs incurred for the preparation of the application).



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## 2.2 HOW TO APPLY AND THE PROCEDURES TO FOLLOW

### 2.2.1 Grant Application Form

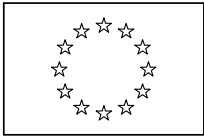
Applications must be submitted in accordance with the instructions on the application form included in the Grant Application Form annex to these Guidelines (Annex A).

The Grant Application Form should be typed and submitted in English.

Please note that only the Grant Application Form and the published annexes which have to be filled in (budget, logical framework) will be evaluated. It is therefore of utmost importance that these documents contain ALL relevant information concerning the Action. No additional annexes should be sent.

#### Important notes:

- Please complete the Grant Application Form carefully and as clearly as possible so that it can be assessed properly.
- Applicants should keep strictly to the format of the different forms and fill in the paragraphs and the pages in order.
- Hand-written applications will not be accepted.
- The supporting documents must be submitted as **unofficial translations into English, certified in original by the legally authorised representative of the Applicant / partner organisation through signature and stamp**, as described in Section 2.2.2 below.
- The Budget tables (Annex B1 and Annex B2) have to be drawn up in Euro, have to provide clear information about the way the financial resources will be spent according to the activities described, have to be divided per each partner, and shall identify the sources of funding.
- The Applicant should be precise and provide enough detail to ensure the application is clear, particularly as to how the aims of the joint Action will be achieved, the benefits that will flow from it and the way in which it is relevant to the programme's objectives.
- In case a specific point of the Grant Application Form is not relevant or not applicable to the case of the Applicant/IPA Financial Lead Beneficiary/partner, please mark the specific sub-section as N/A (not applicable).
- Applicants must verify that the application is complete on the basis of the Checklist (Annex A, Section 7) and that the signatures and official stamps are well visible and recognisable.
- Please make sure that the Declaration by the Applicant (Annex A, Section 3.4), Declaration by the IPA Financial Lead Beneficiary (Annex A, Section 4.4) and Partnership Statements (Annex A, Sections 4.5 and 5.2) are signed and stamped by the legally authorised representative of the relevant organisations.
- **Each application should be bound** (together with its annexes and supporting documents) in the way that pages could not be taken away from a whole set, **and attached together with a list of contents.**
- **The first page of the Grant Application Form should be attached to the front side of the envelope**, where the reference number of the Call for Proposals (2<sup>nd</sup> Call for Proposals), the name of the programme (Black Sea Basin JOP), the title of the Action, the full name and address of the Applicant, the Priority and Measure numbers and the words "Not to be opened before the opening session" and "*A NU SE DESCHIDE INAINTE DE SESIUNEA DE DESCHIDERE*" should be written by the Applicant.



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The partners must explain in the Grant Application Form how they will integrate the European Union horizontal policies in the joint Action, especially as regards the environmental protection, sustainable development, equal opportunities, and non-discrimination.

The partners must explain in the Grant Application Form also whether they have links to various policies and initiatives implemented in the Black Sea Region, or whether the Action has any complementarity or synergies with other actions implemented in the area on a similar topic, and how duplication with similar activities will be avoided.

The partners must also explain in the Grant Application Form whether the joint Action is expected to have springboard or multiplier effects, and if so, how these are foreseen to come into action.

### **Where to get the Grant Application Form and its annexes?**

The Grant Application Form and all its annexes are available on the website of the Joint Operational Programme “Black Sea Basin 2007-2013”: [www.blacksea-cbc.net](http://www.blacksea-cbc.net).

Below there is a **list of reasons for exclusion** of a Grant Application Form in the administrative check step:

1. if the Grant Application Form is sent after the deadline;
2. if the Grant Application Form is received after the effective date of approval of the administrative check step;
3. if the Grant Application Form is delivered to other addresses than the one specified in Section 2.2.3 or sent by other means (e.g. by fax or by e-mail);
4. if the correct Grant Application Form template (published for this Call for Proposals) is not used;
5. if the Grant Application Form is not typed and submitted in English (except for dates and signatures);
6. if the Grant Application Form is not entirely filled in (point by point);
7. if one of the required Annexes (B1, B2, C) are not provided;
8. if the Grant Application Form does not contain - as original or as copy - the “Declaration by the Applicant” signed by the Applicant, the “Declaration by the IPA Financial Lead Beneficiary” signed by the IPA Financial Lead Beneficiary (if the case) and the “Partnership Statements” signed by each partner;
9. Any error related to the points listed in the Checklist (Section 7 of the Grant Application Form) or any major inconsistency in the Grant Application Form (e.g. the amounts mentioned in the budget are inconsistent with those mentioned in the Grant Application Form) may lead to the rejection of the application.

**Clarifications** will only be requested by the Chairperson of the Selection Committee, by fax or email, to the contact details provided in the application - and must be sent as *copies* by fax or scanned by e-mail and *originals* by registered mail or private courier service.

Clarifications will only be requested when information provided is unclear (for example due to national specific issues), thus preventing the Selection Committee from conducting an objective assessment. Clarifications will only be requested to conclude the administrative and eligibility checks and not to improve the content of the application.

The Applicants will send their **answers** within 10 calendar days since they receive the request for clarifications - copies by fax or scanned by e-mail and originals by registered mail or private courier service (date on the envelope) or by hand-delivery.

The date attesting the receipt of the request for clarifications is the date on the facsimile “OK” receipt or the date on the email sent by the Chairperson of the Selection Committee.



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The Applicant bears full responsibility for ensuring the technical receipt of requests of clarifications. If no communication can be established, the date on the request for clarification will be considered.

The answers must arrive to the Selection Committee, as hard copy, in maximum 20 days from the receipt of the request for clarifications.

Please note that it is the Applicant's responsibility to bind the Grant Application Form and the related documents. The Joint Managing Authority will not be held responsible for any incidents regarding the loss of files if this condition is not met.

Please note that only the Grant Application Form, the requested annexes which have to be filled in and the requested supporting documents will be evaluated. It is therefore of utmost importance that these documents contain ALL relevant information concerning the Action. **No additional annexes should be sent.**

### **2.2.2 Annexes and supporting documents to be submitted with the application**

The annexes and supporting documents should be attached to the Grant Application Form in the order described below and a cover sheet will separate each document.

The annexes and supporting documents to the Grant Application Form need to be bound and attached together with a list of contents.

**Annexes and supporting documents to be submitted with the Grant Application Form:**

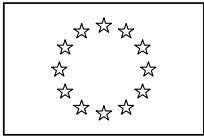
1. **Budget of the joint Action** (Annex B1 and B2) - all Excel worksheets must be filled in with costs estimates (budget breakdown), emphasising the detailed local contribution and including the joint Action related cash flow for the whole duration of the joint Action.
2. **Logical Framework Sheet** (Annex C) - the Applicant should start the preparation of the joint Action by filling first in the Logical Framework, and thereafter the Grant Application Form.
3. **Declaration by the Applicant** (in Annex A - Grant Application Form, Section 3.4). **This document must be submitted as original<sup>44</sup>.**
4. **Declaration by the IPA Financial Lead Beneficiary** (in Annex A - Grant Application Form, Section 4.4). **This document must be submitted as original<sup>45</sup>.**
5. **Partnership Statements** (in Annex A - Grant Application Form, Sections 4.5 and 5.2) should be submitted by the IPA Financial Lead Beneficiary (if it is the case) and all partners. **This document must be submitted as original<sup>46</sup>.**
6. **Latest annual accounts** must be submitted by the Applicant, IPA Financial Lead Beneficiary (if it is the case) and all partners, **as full unofficial translation(s)** (certified in original through signature and stamp by the head of the organisation). ***This obligation does not apply to public authorities<sup>47</sup>.*** The extracts from bank accounts are not

<sup>44</sup> In case one of the Partnership Statements is sent as copy/scanned version, the original document shall be requested.

<sup>45</sup> In case one of the Partnership Statements is sent as copy/scanned version, the original document shall be requested.

<sup>46</sup> In case one of the Partnership Statements is sent as copy/scanned version, the original document shall be requested.

<sup>47</sup> As defined in section 2.1.1.



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equivalent to latest accounts. Only documents (the balance sheet, profit and loss account for the previous financial year for which the accounts have been closed) providing data about revenues, expenditures, profit and losses will be accepted.

7. **External Audit Report** must be submitted by the Applicant *where the ENPI grant requested exceeds EUR 500,000* and by the IPA Financial Lead Beneficiary *where the IPA grant requested exceeds EUR 500,000*, as full unofficial translation(s) (certified in original through signature and stamp by the head of the organisation). The External Audit Report must be produced by an approved auditor, certifying the accounts **for the last financial year available. This obligation does not apply to public authorities<sup>48</sup>, bodies governed by public law and international organisations.**

For the **ENPI Applicant**:

1. Declaration by the Applicant (in Annex A - Grant Application Form, Section 3.4)
2. Budget of the joint Action (Annex B1)
3. Logical Framework Sheet (Annex C)
4. Latest annual accounts (not in case of public authorities<sup>49</sup>)
5. External Audit Report, in case the ENPI grant sum exceeds EUR 500,000 (not in case of public authorities<sup>50</sup>, bodies governed by public law and international organisations)

For the **IPA Financial Lead Beneficiary**:

1. Declaration by the IPA Financial Lead Beneficiary (in Annex A - Grant Application Form, Section 4.4)
2. Partnership Statement (in Annex A - Grant Application Form, Section 4.5)
3. Budget of the joint Action (Annex B2)
4. Latest annual accounts (not in case of public authorities<sup>51</sup>)
5. External Audit Report, in case the IPA grant sum exceeds EUR 500,000 (not in case of public authorities<sup>52</sup>, bodies governed by public law and international organisations)

For the **partners** (ENPI and IPA):

1. Partnership Statement (in Annex A - Grant Application Form, Section 5.2)
2. Latest annual accounts (not in case of public authorities<sup>53</sup>)

**The Selection Committee/Joint Managing Authority may demand additional documentary evidence and argumentations in case of doubts.**

### **2.2.3 Where and how to send the applications**

Applications must be submitted in **one original and two copies** in A4 size, each **bound and attached together with a list of contents**. The complete Grant Application Form, all annexes and supporting documents must be submitted as well in electronic format (CD-Rom): .doc format and .xls format for the application and annexes and .pdf/.jpg version for documents including

<sup>48</sup> As defined in section 2.1.1.

<sup>49</sup> As defined in section 2.1.1.

<sup>50</sup> As defined in section 2.1.1.

<sup>51</sup> As defined in section 2.1.1.

<sup>52</sup> As defined in section 2.1.1.

<sup>53</sup> As defined in section 2.1.1.



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signatures and stamps. The electronic format must contain **exactly the same** application as the paper version enclosed.

Applications must be submitted in a **sealed envelope by registered mail, private courier service or by hand-delivery** (a signed and dated certificate of receipt will be given to the deliverer) at the address below:

Postal address and address for hand delivery or by private courier service  
Ministerul Dezvoltării Regionale și Turismului  
Direcția Generală Cooperare Teritorială Europeană  
Bd. Libertății nr. 12, București 040129, sector 5, România  
REGISTRATURA, ETAJ 4

Where an Applicant sends several different applications, each one has to be sent in a separate envelope.

The outer envelope must bear the reference number of the Call for Proposals (2<sup>nd</sup> Call for Proposals), the name of the programme (Black Sea Basin JOP), the title of the Action, the full name and address of the Applicant, the Priority and Measure numbers and the words "Not to be opened before the opening session" and "**A NU SE DESCHIDE ÎNAINTE DE SESIUNEA DE DESCHIDERE**". The first page of the Grant Application Form must be also attached to the front side of the envelope for identification.

Applications sent by any other means (e.g. by fax or by e-mail) or delivered to other addresses will be rejected.

Applicants should not include any financial value to the envelope when completing the necessary documents for sending the application by registered mail or private courier service. In these situations, the envelope will be blocked within the custom offices, as the JMA will not cover custom taxes.

Applicants must verify that their application is complete using the Checklist (Part B, Section 7 in the Grant Application Form). Incomplete applications may be rejected.

#### **2.2.4 Deadline for submission of the applications**

The deadline for the submission of applications is 30<sup>th</sup> of September 2011 as evidenced by the date of dispatch, the postmark or the date of the deposit slip.

In case of hand-deliveries, the deadline for receipt is at 12.00 hours local time as evidenced by the signed and dated receipt. **Any application sent after the deadline as defined above will automatically be rejected.**

However, for reasons of administrative efficiency, the JMA may reject any application submitted to mail / courier before the deadline but received after the effective date of approval of the administrative check step.

#### **2.2.5 Further information for the applications**

Action (Project) preparation workshops that will concentrate on addressing the information needs of the potential Applicants of the programme shall be organized.

Further details regarding the venue and exact date and hours shall be published on the programme's website (in Call for Proposals section).



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**Questions may in addition be sent by e-mail or by fax no later than 15 days before the deadline for the submission of applications to the below address, indicating clearly the reference of the Call for Proposals (2<sup>nd</sup> Call for Proposals):**

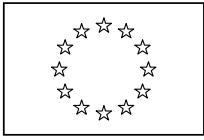
E-mail address: [infocall@blacksea-cbc.net](mailto:infocall@blacksea-cbc.net)

Fax: +40 372 111 456

**Replies will be given no later than 11 days before the deadline for the submission of applications.** The Joint Managing Authority has no obligation to provide further clarifications after this date.

Questions that may be relevant to other Applicants/partners, together with the answers, will be published in English on the programme website: [www.blacksea-cbc.net](http://www.blacksea-cbc.net) in the Frequently Asked Questions (FAQ) section.

**In the interest of equal treatment of Applicants and partners, the Joint Managing Authority cannot give a prior opinion on the eligibility of an Applicant, a partner, an Action or specific activities.**



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## 2.3 EVALUATION AND SELECTION OF APPLICATIONS

Applications will be examined and evaluated by the Selection Committee with the possible assistance of external assessors. All Actions submitted by Applicants will be assessed according to the following steps and criteria.

If the examination of the application reveals that the proposed joint Action does not meet the eligibility criteria stated in section 2.1, the application shall be rejected on this sole basis.

### (1) STEP 1: OPENING & ADMINISTRATIVE CHECKS

The following will be assessed:

- The submission deadline has been respected. If the deadline has not been respected the application will automatically be rejected.
- The Grant Application Form satisfies all the criteria specified in the Checklist (Section 7 of the Grant Application Form). If any of the requested information is missing or is incorrect, the application may be rejected on that sole basis and the application will not be evaluated further.

Following the approval by the JMC of the *Evaluation Report Step 1 Opening & Administrative checks*, the Chairperson of the Selection Committee will send a letter to all Applicants, indicating whether their application was submitted prior to the deadline, informing them of the reference number they have been allocated and whether their application has been recommended for further evaluation.

### (2) STEP 2: EVALUATION OF THE FULL APPLICATION

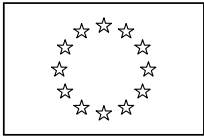
An evaluation of the quality of the applications, including the proposed budget, and of the capacity of the Applicant and its partners, will be subsequently carried out in accordance with the evaluation criteria set out in the Evaluation Grid included below.

The selection criteria are intended to help evaluate the Applicants' and partners' financial and operational capacity to ensure that they:

- have stable and sufficient sources of finance to maintain their activity throughout the period during which the joint Action is being carried out and, where appropriate, to participate in its funding;
- have the management capacity, professional competencies and qualifications required to successfully complete the proposed joint Action.

The award criteria allow the quality of the applications submitted to be evaluated in relation to the set objectives and priorities of the call, and grants to be awarded to joint Actions which maximise the overall effectiveness of the Call for Proposals. They enable the selection of applications which the Joint Monitoring Committee can be confident will comply with the objectives and priorities of the call. They cover such aspects as the relevance of the joint Action, its consistency with the objectives of the Call for Proposals, quality, expected impact, sustainability and cost-effectiveness.

The additional criteria is intended to reward the joint Actions presented by partnerships that have at least 3 partners coming from the 3 of the following countries: Armenia, Georgia, R. Moldova, Ukraine, and Turkey.



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### Scoring:

The evaluation criteria are divided into sections and subsections. Each subsection will be given a score between 1 and 5 in accordance with the following guidelines: 1 = very poor; 2 = poor; 3 = adequate; 4 = good; 5 = very good.

### Evaluation Grid

Section	Maximum Score
<b>Selection criteria</b>	
<b>1. Technical, financial and operational capacity of the partnership</b>	<b>20</b>
1.1 Do the Applicant and its partners have sufficient and proven <b>experience of project management</b> ? <sup>54</sup>	5
1.2 Do the Applicant and its partners have sufficient <b>technical expertise</b> ? (notably knowledge of the issues to be addressed) <sup>55</sup>	5
1.3 Do the Applicant and its partners have sufficient <b>management capacity</b> ? (including staff, equipment and ability to handle the Budget for the Action) <sup>56</sup>	5
1.4 Do the Applicant and its partners have stable and sufficient <b>financial resources</b> ? <sup>57</sup>	5
<b>Award criteria</b>	
<b>2. Relevance</b>	<b>25</b>
2.1 How relevant is the proposal to the <b>objectives and priorities</b> of the Call for Proposals? <sup>58</sup>	5
2.2 How relevant to the particular <b>needs and constraints</b> of the target countries and/or regions is the proposal? <sup>59</sup>	5
2.3 Does the proposal demonstrate a <b>cross-border character</b> ? (e.g. fulfils at least two of the following criteria: (1) joint development; (2) joint implementation; (3) joint staffing; and/or (4) joint financing) <sup>60</sup> Will the proposal produce long lasting positive effects on the geographical area covered by the joint Action, leading to a <b>cross border impact</b> ? <sup>61</sup>	5
2.4 Does the joint Action have any <b>links with any of the BSB-specific policies</b> implemented in the region, or <b>complementarity or synergies</b> with various actions implemented in the region? (including synergy with other EU initiatives and avoidance of duplication, without overlapping with the actions) <sup>62</sup>	5
2.5 How clearly defined and strategically chosen are those involved ( <b>final beneficiaries, target groups</b> )? Have their <b>needs</b> been clearly defined and does the proposal address them appropriately? <sup>63</sup> Does the proposal clearly include final beneficiaries and target groups from all concerned countries/regions?	5

<sup>54</sup> Mainly based on sections 3.3.2, 4.3.2, 5.1 in the Grant Application Form (Annex A).

<sup>55</sup> Mainly based on sections 3.3.1, 4.3.1, 5.1 in the Grant Application Form (Annex A).

<sup>56</sup> Mainly based on sections 2.4.2.6, 2.4.2.7, 3.3.3, 4.3.3 in the Grant Application Form (Annex A).

<sup>57</sup> Mainly based on sections 3.3.3 and 4.3.3 in the Grant Application Form (Annex A) and Latest accounts and External Audit Report.

<sup>58</sup> Mainly based on sections 2.3.1.1, 2.3.1.2 in the Grant Application Form (Annex A).

<sup>59</sup> Mainly based on sections 2.3.2.1, 2.3.2.2, 2.3.2.3 in the Grant Application Form (Annex A).

<sup>60</sup> Mainly based on section 2.3.1.5 in the Grant Application Form (Annex A).

<sup>61</sup> Mainly based on section 2.3.2.3 in the Grant Application Form (Annex A).

<sup>62</sup> Mainly based on sections 2.3.2.4, 2.3.2.5, 2.3.2.6 in the Grant Application Form (Annex A).

<sup>63</sup> Mainly based on sections 1.1, 2.3.3.1, 2.3.3.2, 2.3.3.3, 2.3.3.4, 2.4.1.2 in the Grant Application Form (Annex A).



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<b>3. Effectiveness and feasibility of the joint Action (methodology)</b>	<b>25</b>
3.1 Are the activities proposed appropriate, practical, and consistent with the objectives and expected results? <sup>64</sup>	5
3.2 Is the action plan clear and feasible, and consistent with the activities? <sup>65</sup>	5
3.3 Does the proposal contain objectively verifiable indicators for the outcome of the Action? <sup>66</sup> Is evaluation foreseen? <sup>67</sup>	5
3.4 Is the proposed partnership appropriate in terms of number of partners, relevance of partners for the implementation of the Action and their level of involvement satisfactory? Are the activities distributed in a balanced way among the partners? <sup>68</sup> (Maximum score will only be allocated if the proposal cumulates the following requirements: the partnership proves to be coherent and it involves the appropriate partners to implement the proposed solution)?	5x2
<b>4. Sustainability of the joint Action</b>	<b>15</b>
4.1 Is the joint Action likely to have a tangible <b>impact</b> on the target groups? <sup>69</sup> Is the <b>communication strategy</b> clearly defined in order to ensure an efficient and well-targeted dissemination and capitalisation of the joint Action results? <sup>70</sup>	5
4.2 Is the proposal likely to have <b>springboard or multiplier effects</b> ? <sup>71</sup> (including scope for replication and extension of the outcome of the joint Action, dissemination of information) <sup>72</sup>	5
4.3 Are the expected results of the proposed joint Action sustainable: <ul style="list-style-type: none"> <li>- financially (<i>how will the activities be financed after the funding ends?</i>)</li> <li>- institutionally (<i>will the partnership/network created allow the activities to continue after the end of the joint Action? Will there be local "ownership" of the results of the joint Action in all regions concerned?</i>)</li> <li>- at policy level (where applicable) (<i>what will be the structural impact of the joint Action – e.g. will it lead to improved legislation, codes of conduct, methods, etc?</i>)</li> <li>- environmentally (if applicable) (<i>will the joint Action have a negative/positive environmental impact?</i>)</li> </ul> (maximum score will only be allocated if the proposal contains specific added-value elements, such as promotion of gender equality and equal opportunities) <sup>73</sup>	5
<b>5. Budget and cost-effectiveness of the joint Action</b>	<b>15</b>
5.1 Is the <b>ratio</b> between the estimated costs and the expected results satisfactory? <sup>74</sup> (in accordance with the principles of economy, efficiency and effectiveness <sup>75</sup> )	5
5.2 Is the proposed <b>expenditure necessary</b> for the implementation of the Action? <sup>76</sup>	5

<sup>64</sup> Mainly based on sections 1.1, 2.4.1, 2.4.4.3, 2.4.4.4 in the Grant Application Form (Annex A).

<sup>65</sup> Mainly based on sections 2.4.3 and 2.4.1 in the Grant Application Form (Annex A).

<sup>66</sup> Mainly based on sections 2.4.1, 2.4.5 in the Grant Application Form (Annex A) and Logical Framework (Annex C).

<sup>67</sup> Mainly based on section 2.4.2.4 in the Grant Application Form (Annex A).

<sup>68</sup> Mainly based on sections 1.1, 2.4.1 in the Grant Application Form (Annex A).

<sup>69</sup> Mainly based on sections 2.3.2, 2.3.3 in the Grant Application Form (Annex A).

<sup>70</sup> Mainly based on section 2.4.4.2 in the Grant Application Form (Annex A).

<sup>71</sup> Mainly based on section 2.4.4.6 in the Grant Application Form (Annex A).

<sup>72</sup> Mainly based on section 2.4.4.2 in the Grant Application Form (Annex A).

<sup>73</sup> Mainly based on sections 2.3.4.1, 2.4.4.1, 2.4.4.5 in the Grant Application Form (Annex A).

<sup>74</sup> Mainly based on sections 2.4.1, 2.5 in the Grant Application Form (Annex A) and Budget (Annex B).

<sup>75</sup> According with the Article 27 of the Council Regulation No.1605/2002 on the Financial Regulation, "The principle of *economy* requires that the resources used by the institution for the pursuit of its activities shall be made available in due time, in appropriate quantity and quality and at the best price. The principle of *efficiency* is concerned with the best relationship between resources employed and results achieved. The principle of *effectiveness* is concerned with attaining the specific objectives set and achieving the intended results."

<sup>76</sup> Mainly based on sections 2.4.1, 2.5 in the Grant Application Form (Annex A) and Budget (Annex B).



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5.3 Are the activities appropriately reflected in the budget? <sup>77</sup>	5
<b>6. Additional criteria</b>	<b>5</b>
6.1 The joint Action has at least 3 partners coming from the 3 of the following countries Armenia, Georgia, R. Moldova, Ukraine, and Turkey <sup>78</sup>	5
<b>Maximum total score</b>	<b>105</b>

*Note on Section 1. Financial and operational capacity*

If the score is less than 12 points for Section 1, the application will be rejected.

*Note on Section 2. Relevance*

If the total average score is less than 20 points for Section 2, the application will be rejected.

*Note on Total score*

If the total score is less than 65 points, the application will be rejected.

*Provisional selection*

Following the evaluation, a table listing the applications ranked according to their score and within the available financial envelope will be established per Priority, as well as a reserve list following the same criteria, presented in the *Evaluation Report Step 2 Full Application Evaluation*.

Following the approval by the JMC of the *Evaluation Report Step 2 Full Application Evaluation*, the Chairperson of the Selection Committee will send a letter to all Applicants, indicating whether their application has been provisionally selected or listed under the reserve list, according to the JMC decision.

### **(3) STEP 3: VERIFICATION OF ELIGIBILITY OF THE APPLICANT AND PARTNERS**

The eligibility verification, based on the supporting documents requested by the Selection Committee (see section 2.4) will only be performed for the applications that have been provisionally selected according to their score and within the available financial envelope.

- The Declaration by the Applicant (Section 3.4 of the Grant Application Form), Declaration by the IPA Financial Lead Beneficiary (Section 4.4 of the Grant Application Form) and Partnership Statements (Sections 4.5 and 5.2 of the Grant Application Form) will be cross-checked with the supporting documents provided by the Applicant, by the IPA Financial Lead Beneficiary and by partners. Any missing supporting document or any incoherence between the Declaration by the Applicant, Declaration by the IPA Financial Lead Beneficiary, Partnership Statements and the supporting documents may lead to the rejection of the application on that sole basis.
- The eligibility of the Applicant and its partners will be verified according to the criteria set out in section 2.1.1.

Following the above analysis and if necessary, any rejected application will be replaced by the next best placed application in the reserve list that falls within the available financial envelope, which will then be examined for the eligibility of its Applicant and the partners.

<sup>77</sup> Mainly based on sections 2.4.1, 2.5 in the Grant Application Form (Annex A) and Budget (Annex B).

<sup>78</sup> Mainly based on section 1.1 in the Grant Application Form (Annex A).



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## 2.4 SUBMISSION OF ANNEXES AND SUPPORTING DOCUMENTS FOR PROVISIONALLY SELECTED APPLICATIONS

Applicants who have been provisionally selected or listed under the reserve list will be requested by the Chairperson of the Selection Committee to supply the following documents in order to allow the Selection Committee to **verify the eligibility of the Applicants and their partners**:

1. **Legal Entity Sheet** (Annex D) must conform to the model, it must be duly completed and signed, stamped and dated by the Applicant, IPA Financial Lead Beneficiary (if is the case) and all partners. **This document must be submitted as original<sup>79</sup>.**
2. **Statutes or Articles of Association** or other applicable documents of the Applicant organisation, IPA Financial Lead Beneficiary (if it is the case) and of each partner organisation must be submitted **as unofficial translation(s)** (certified in original through signature and stamp by the head of the organisation) of the relevant parts proving their eligibility (relevant parts are legal status, registration and location of headquarters and, if it is the case, of the subsidiary (ies)/branch(es)). In case of modifications of the relevant parts proving *non-profit organisations'* and *public undertakings'* eligibility (as mentioned above), the Court's decision regarding the registration of the modifications to the Statute and of the Leading Board's of the organisation, according to the national legislations in force, must also be submitted as unofficial translation(s) of the modified relevant parts proving their eligibility. Where the Applicant and/or (a) partner(s) is a *public body created by a law*, the said law must be provided, as unofficial translation(s) of the relevant parts proving their eligibility (as mentioned above). ***This obligation does not apply to public authorities<sup>80</sup> and to international organisations which have signed a framework agreement with the European Commission.***

A list of the relevant framework agreements is available at the following address:  
[http://ec.europa.eu/europeaid/work/procedures/implementation/international\\_organisations/index\\_en.htm](http://ec.europa.eu/europeaid/work/procedures/implementation/international_organisations/index_en.htm)

3. **Registration Acts** must be submitted by the Applicant organisation, IPA Financial Lead Beneficiary (if it is the case) and each partner organisation, **as unofficial translation(s)** (certified in original through signature and stamp by the head of the organisation) of the extract(s) from the national Register(s) of organizations. ***This obligation does not apply to public authorities<sup>81</sup> and to international organisations which have signed a framework agreement with the European Commission.***
4. **VAT document** (if the case) must be submitted by the Applicant organisation, IPA Financial Lead Beneficiary (if it is the case) and each partner organisation, **as unofficial translation**, certified in original through signature and stamp by the head of the organisation. ***This obligation does not apply to public authorities<sup>82</sup> and to international organisations which have signed a framework agreement with the European Commission.***

### For ENPI Applicant:

1. Legal Entity Sheet (Annex D)

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<sup>79</sup> In case one of the Legal Entity Sheets is sent as copy/scanned version, the original document shall be requested.

<sup>80</sup> As defined in section 2.1.1.

<sup>81</sup> As defined in section 2.1.1.

<sup>82</sup> As defined in section 2.1.1.



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2. Statutes or Articles of Association (not in case of public authorities<sup>83</sup> and international organisations which have signed a framework agreement with the EU)
3. Registration Act (not in case of public authorities<sup>84</sup> and international organisations which have signed a framework agreement with the EU)
4. VAT document (if the case)

#### For IPA Financial Lead Beneficiary:

1. Legal Entity Sheet (Annex D)
2. Statutes or Articles of Association (not in case of public authorities<sup>85</sup> and international organisations which have signed a framework agreement with the EU)
3. Registration Act (not in case of public authorities<sup>86</sup> and international organisations which have signed a framework agreement with the EU)
4. VAT document (if the case)

#### For partners (ENPI and IPA):

1. Legal Entity Sheet (Annex D)
2. Statute or Articles of Association (not in case of public authorities<sup>87</sup> and international organisations which have signed a framework agreement with the EU)
3. Registration Act (not in case of public authorities<sup>88</sup> and international organisations which have signed a framework agreement with the EU)
4. VAT document (if the case)

If the abovementioned supporting documents are not provided before the deadline indicated in the request for supporting documents sent to the Applicant by the Selection Committee, the application shall be rejected.

Based on the verification of the supporting documents, the Selection Committee will make a final recommendation to the Joint Monitoring Committee, who will decide on the award of grants.

## 2.5 NOTIFICATION OF THE JOINT MONITORING COMMITTEE'S DECISION

### 2.5.1 Content of the decision

Applicants will be informed by the Joint Managing Authority in writing of the Joint Monitoring Committee's decision concerning their application and, in case of rejections, the reasons for the negative decision.

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<sup>83</sup> As defined in section 2.1.1.

<sup>84</sup> As defined in section 2.1.1.

<sup>85</sup> As defined in section 2.1.1.

<sup>86</sup> As defined in section 2.1.1.

<sup>87</sup> As defined in section 2.1.1.

<sup>88</sup> As defined in section 2.1.1.



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### 2.5.2 Appeals

Applicants believing that they have been harmed by an error or irregularity during the award process may file an appeal to the Joint Managing Authority directly. The Applicant should substantiate that the decision of the Selection Committee/Joint Monitoring Committee infringes the provisions of the present Guidelines for Grant Applicants.

The Joint Managing Authority must reply within 45 days of receipt of the complaint.

In order to be considered, an appeal must:

- be submitted only by the Applicant and not by partners or third parties;
- be submitted as original within 10 calendar days from the date when the written notification announcing the result of an evaluation step is sent by the Selection Committee (as evidenced by the date of dispatch, the postmark or the date of the deposit slip);
- be written in English;
- be addressed to the Head of Joint Managing Authority;
- be signed by the legal representative of the Applicant;
- clearly describe the nature of the infringement considered as being made by the Selection Committee/Joint Monitoring Committee and make clear references to the corresponding provisions of the Guidelines for Grant Applicants with pertinent substantiation.

The appeals that do not respect these criteria will not be taken into consideration. The reply to the appeal represents the final decision regarding the application.

See further section 2.4.15 of the Practical Guide.

### 2.5.3 Indicative time table

	DATE	TIME*
Deadline for request for any clarifications from the Joint Managing Authority	15 <sup>th</sup> of September 2011	12.00
Last date on which clarifications are issued by the Joint Managing Authority	19 <sup>th</sup> of September 2011	12.00
Deadline for submission of applications	30 <sup>th</sup> of September 2011	12.00 in case of hand delivery
Information to Applicants on the opening & administrative checks (step 1)	December 2011*	-
Information to Applicants on the evaluation of the Grant Application Form (step 2)	March 2012*	-
Notification of award (after the eligibility check) (step 3)	May 2012*	-
Grant Contract signature	June 2012*	-

\*Provisional date. All times are in the time zone of the country of the Joint Managing Authority (Romania).



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This indicative timetable may be updated by the Joint Managing Authority during the procedure. In such case, the updated timetable shall be published on the programme website [www.blacksea-cbc.net](http://www.blacksea-cbc.net).

## 2.6 CONDITIONS APPLICABLE TO THE IMPLEMENTATION OF THE ACTION FOLLOWING THE JOINT MONITORING COMMITTEE'S DECISION TO AWARD A GRANT

Following the decision to award a grant, the Applicant will be offered a contract based on the Joint Managing Authority's Standard Grant Contract (see Annex J to these Guidelines). By signing the Grant Application Form (Annex A to these Guidelines), the Applicant declares accepting, in case where it is awarded a grant, the Contractual conditions as laid down in the Standard Grant Contract.

If the successful Applicant is an international organisation, the Standard Contribution Agreement with an international organisation (Annex J to these Guidelines) or any other contract template agreed between the international organisation concerned and the Joint Managing Authority will be used instead of the Standard Grant Contract, provided that the international organisation in question offers the guarantees provided for in the applicable Financial Regulation, as described in Chapter 6 of the Practical Guide to contract procedures for EU external actions.

### **Annexes and supporting documents to be submitted in the pre-contracting phase:**

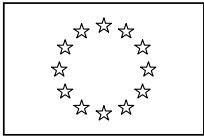
- 1. Declaration by the Beneficiary** (Annex K to these Guidelines), attesting its acceptance to sign the Grant Contract (Annex F to these Guidelines) in compliance with the recommendations of the Joint Monitoring Committee and that the pre-contracting phase may continue. **This document must be submitted as original.**
- 2. Partnership Agreements between the Beneficiary and each partner** must be signed and provided to JMA as a prior condition for the signature of the Grant Contract between JMA and the Applicant. An indicative template of Partnership Agreement is presented in Annex Ia to these Guidelines<sup>89</sup>. **This document must be submitted as original.**
- 3. Partnership Agreements between the Beneficiary and the IPA Financial Lead Beneficiary** must be signed and provided to JMA as a prior condition for the signature of the Grant Contract between JMA and the Applicant. An indicative template of Partnership Agreement is presented in Annex Ib to these Guidelines<sup>90</sup>. **This document must be submitted as original.**
- 4. Financial Identification Forms** (Annex E to these Guidelines) must conform to the model, must be duly completed and signed, stamped and dated by the Beneficiary, the IPA Financial Lead Beneficiary (if is the case) and partners and by the bank to which the payments will be made<sup>91</sup>. This bank must be located in the country (ies) where the Applicant, the IPA Financial Lead Beneficiary and the partners is/are registered and located. **This document must be submitted as original.**
- 5. Declaration on compliance with state aid regulations** (Annex L to these Guidelines) - for the Beneficiaries/partners registered in the Member States (Bulgaria, Greece and Romania). **This document must be submitted as original.**

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<sup>89</sup> Annex Ia for Partnership Agreement between ENPI Beneficiary and ENPI Partner and Annex Ib for Partnership Agreement between ENPI Beneficiary and IPA Financial Lead Beneficiary.

<sup>90</sup> Annex Ia for Partnership Agreement between ENPI Beneficiary and ENPI Partner and Annex Ib for Partnership Agreement between ENPI Beneficiary and IPA Financial Lead Beneficiary.

<sup>91</sup> The Beneficiary /IPA Financial Lead Beneficiary / partners must open dedicated bank accounts for the implementation of the Action, one in Euro and one in the national currency.



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6. **Certification** issued by the competent state authority in each participating country proving that the Beneficiaries and their partners **have fulfilled their obligations relating to the payment of debts** to the consolidated state budget in accordance with the legal provisions of the country in which they are registered and located<sup>92</sup>, in **national language** and also as **full unofficial translation(s)** (certified in original through signature and stamp by the head of the organisation).
7. **Decisions of the empowered bodies** of the Beneficiary and each partner - if the case according to the national legislations - that they will **ensure co-financing during the implementation period of the Action, as well as any ineligible costs or other costs related to the Action**, in **national language** and also as **full unofficial translation(s)** (certified in original through signature and stamp by the head of the organisation).
8. **Declaration by the international organisation** (Annex M to these Guidelines) explicitly stating that the international organisation undertakes to the following obligations: adherence to applicable EU Policies, acceptance of the control requirements set by the PRAG, acceptance of undergoing audits and checks by all those bodies entitled to carry out such controls in the framework of the Programme, final financial liability for all the sums wrongly paid out. ***This obligation applies only to international organisations. This document must be submitted as original.***

#### **Implementation contracts**

Where implementation of the Action requires the Beneficiary and its partners to award procurement contracts, it must award the contract to the tenderer offering the best value for money, that is to say, the best price-quality ratio, in compliance with the principles of transparency and equal treatment for potential contractors, care being taken to avoid any conflict of interests. To this end, the Beneficiary and its partners must follow the principle, rules and procedures set out in Annex IV to the Standard Grant Contract.

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<sup>92</sup> In cases where this kind of document is not available, a Self Declaration of the Beneficiary/partner - stating that obligations relating to the payment of debts to the consolidated state budget are fulfilled - should be provided.



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### **3. LIST OF ANNEXES**

#### ***DOCUMENTS TO BE COMPLETED***

**ANNEX A: GRANT APPLICATION FORM (WORD FORMAT)**

**ANNEX B1: ENPI BUDGET (EXCEL FORMAT)**

**ANNEX B2: IPA BUDGET (EXCEL FORMAT)**

**ANNEX C: LOGICAL FRAMEWORK (EXCEL FORMAT)**

#### ***DOCUMENTS FOR INFORMATION***

**ANNEX D: LEGAL ENTITY SHEET (PDF FORMAT)**

**ANNEX E: FINANCIAL IDENTIFICATION FORM (PDF FORMAT)**

**ANNEX F: STANDARD GRANT CONTRACT**

- ANNEX II: GENERAL CONDITIONS APPLICABLE TO EUROPEAN UNION-FINANCED GRANT CONTRACTS FOR EXTERNAL ACTIONS
- ANNEX IV: CONTRACT AWARD PROCEDURES
- ANNEX V: STANDARD REQUEST FOR PAYMENT
- ANNEX VI: MODEL NARRATIVE AND FINANCIAL REPORT
- ANNEX VII: MODEL REPORT OF FACTUAL FINDINGS AND TERMS OF REFERENCE FOR AN EXPENDITURE VERIFICATION OF AN EU FINANCED GRANT CONTRACT FOR EXTERNAL ACTIONS
- ANNEX VIII: MODEL FINANCIAL GUARANTEE
- ANNEX IX: STANDARD TEMPLATE FOR TRANSFER OF OWNERSHIP OF ASSETS

**ANNEX G: ELIGIBILITY OF EXPENDITURE**

**ANNEX H: DAILY ALLOWANCE RATES (PER DIEM)**

[http://ec.europa.eu/europeaid/work/procedures/implementation/index\\_en.htm](http://ec.europa.eu/europeaid/work/procedures/implementation/index_en.htm)

**ANNEX I: PARTNERSHIP AGREEMENT**

ANNEX Ia - PARTNERSHIP AGREEMENT BETWEEN ENPI BENEFICIARY AND ENPI PARTNER

ANNEX Ib - PARTNERSHIP AGREEMENT BETWEEN ENPI BENEFICIARY AND IPA FINANCIAL LEAD BENEFICIARY

**ANNEX J: STANDARD CONTRIBUTION AGREEMENT**

**ANNEX K: DECLARATION BY THE BENEFICIARY**

**ANNEX L: DECLARATION ON COMPLIANCE WITH STATE AID REGULATIONS**

**ANNEX M: DECLARATION BY THE INTERNATIONAL ORGANISATION**

*All these documents are available on the Black Sea Basin Programme's web address:  
[www.blacksea-cbc.net](http://www.blacksea-cbc.net).*

**PRACTICAL GUIDE TO CONTRACT PROCEDURES FOR EU EXTERNAL ACTIONS (PRAG)**

[http://ec.europa.eu/europeaid/work/procedures/implementation/index\\_en.htm](http://ec.europa.eu/europeaid/work/procedures/implementation/index_en.htm)

**PROJECT CYCLE MANAGEMENT GUIDELINES**

[http://ec.europa.eu/europeaid/multimedia/publications/publications/manuals-tools/t101\\_en.htm](http://ec.europa.eu/europeaid/multimedia/publications/publications/manuals-tools/t101_en.htm)